Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Initial Study, Mitigated Negative Declaration and Conditional Use Permit (CUP) 15-01

Lead Agency: City of California City | Contact Person: William T. Weil, Jr., City Manager
Mailing Address: 21000 Hacienda Blvd. | Phone: (760) 373-7170
City: California City, CA | Zip: 93505-2293 | County: Kern

Project Location: County: Kern | City/Nearest Community: California City
Cross Streets: Mendiburu Road and Hacienda Boulevard | Zip Code: 93505
Longitude/Latitude (degrees, minutes and seconds): -117 ° 57 ' 56W " N / 35 ° 8 ' 31N " W | Total Acres: 40.00
Assessor's Parcel No.: 302-260-12 | Section: 13 | Twp.: 32S | Range: R37E | Base: MDB&M
Within 2 Miles: State Hwy #: No | Waterways: No
Airports: No | Railways: Yes | Schools: Yes

Document Type:

CEQA: ☐ NOP ☐ Draft EIR | NEPA: ☐ NOI | Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR | ☐ EA | ☐ Final Document
☐ Neg Dec (Prior SCH No.) _____ | ☐ Draft EIS | ☐ Other: _____
☑ Mit Neg Dec Other: _____ | ☐ FONSI

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☑ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational: _____
☐ Recreational: _____
☐ Water Facilities: Type _____ MGD X
☐ Transportation: Type _____
☐ Mining: Mineral _____
☑ Power: Type photovoltaic solar MW 10
☐ Waste Treatment: Type _____ MGD _____
☐ Hazardous Waste: Type _____
☐ Other: _____

Project Issues Discussed in Document:

☑ Aesthetic/Visual ☐ Fiscal ☑ Recreation/Parks ☑ Vegetation
☑ Agricultural Land ☑ Flood Plain/Flooding ☑ Schools/Universities ☑ Water Quality
☑ Air Quality ☐ Forest Land/Fire Hazard ☑ Septic Systems ☑ Water Supply/Groundwater
☑ Archeological/Historical ☑ Geologic/Seismic ☑ Sewer Capacity ☐ Wetland/Riparian
☑ Biological Resources ☑ Minerals ☑ Soil Erosion/Compaction/Grading ☑ Growth Inducement
☐ Coastal Zone ☑ Noise ☑ Solid Waste ☑ Land Use
☑ Drainage/Absorption ☑ Population/Housing Balance ☑ Toxic/Hazardous ☑ Cumulative Effects
☑ Economic/Jobs ☑ Public Services/Facilities ☑ Traffic/Circulation ☐ Other: _____

Present Land Use/Zoning/General Plan Designation:

Present Land Use Rural Desert Vacant/Zoning: O/RA/General Plan: Open Space/Residential Agriculture

Project Description: *(please use a separate page if necessary)*

Bolthouse I and Bolthouse II will produce up to 5 megawatts (MW) of clean solar power, each located on approximately 19 acres of leased land and up to 10 MW of battery storage capacity to the grid. The project does not have a Purchase Power Agreement (PPA) at this time; the project applicant anticipates that the Point of Interconnection (POI) will be to an existing Southern California Edison (SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2008

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "**X**".
If you have already sent your document to the agency please denote that with an "**S**".

____	Air Resources Board	____	Office of Emergency Services
____	Boating & Waterways, Department of	____	Office of Historic Preservation
____	California Highway Patrol	____	Office of Public School Construction
S	Caltrans District # 9	____	Parks & Recreation, Department of
____	Caltrans Division of Aeronautics	____	Pesticide Regulation, Department of
____	Caltrans Planning	____	Public Utilities Commission
____	Central Valley Flood Protection Board	S	Regional WQCB # ____
____	Coachella Valley Mtns. Conservancy	____	Resources Agency
____	Coastal Commission	____	S.F. Bay Conservation & Development Comm.
____	Colorado River Board	____	San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
____	Conservation, Department of	____	San Joaquin River Conservancy
____	Corrections, Department of	____	Santa Monica Mtns. Conservancy
____	Delta Protection Commission	____	State Lands Commission
____	Education, Department of	____	SWRCB: Clean Water Grants
____	Energy Commission	____	SWRCB: Water Quality
S	Fish & Game Region # ____	____	SWRCB: Water Rights
____	Food & Agriculture, Department of	____	Tahoe Regional Planning Agency
____	Forestry and Fire Protection, Department of	____	Toxic Substances Control, Department of
____	General Services, Department of	____	Water Resources, Department of
____	Health Services, Department of		
____	Housing & Community Development	S	Other: U.S. Fish and Wildlife Service
____	Integrated Waste Management Board	S	Other: per Mailing list pages 2-6
S	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date Friday, January 23, 2015 Ending Date Monday, February 23, 2015

Lead Agency (Complete if applicable):

Consulting Firm: _____
Address: _____
City/State/Zip: _____
Contact: _____
Phone: _____

Applicant: City of California City
Address: 21000 Hacienda Blvd.
City/State/Zip: California City, CA 93505
Phone: (760) 373-7141

Signature of Lead Agency Representative: _____ **Date:** 1/14/15

William T. Weil, Jr., City Manager/Planning Director

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Incorporated 1965

City of California Cit

City Hall

PHONE (760) 373-8661

21000 HACIENDA BLVD. - CALIFORNIA CITY, CALIFORNIA 93

January 14, 2015

FILE: Initial Study, Mitigated Negative Declaration, Conditional Use Permit (CUP) 15-01

Ladies and Gentlemen:

This Department, as Lead Agency, has determined that preparation of a Mitigated Negative Declaration would be appropriate for the referenced project. As required by Section 15073 of the State CEQA Guidelines, we are submitting the proposed Mitigated Negative Declaration to all responsible agencies for consultation. This consultation is requested to ensure that the environmental decision by our Department will reflect the concerns of responsible agencies involved with the project.

An electronic version of this document is available on the City's website at www.californiacity.com.

Review begins: Friday, January 23, 2015 Review ends: Monday, February 23, 2015

The Planning Commission will hold a public hearing at their regular meeting on **Tuesday, February 24, 2015** at **6:00 p.m.**, in the Council Chambers located at 21000 Hacienda Boulevard, California City, California 93505 to consider the Initial Study, Mitigated Negative Declaration and CUP 15-01. A subsequent public hearing (the date to be determined) will be held by the City Council for their consideration and adoption.

If a response is not received from your agency by **5:00 p.m. COB** on **Monday, February 24, 2015,** this Department will assume that your agency has no comment. **Should you have any questions, please contact William T. Weil, Jr., City Manager/Planning Director or the Planning Department at (760) 373-7141.**

Sincerely,

William T. Weil, Jr.
City Manager/Planning Director

Attachments

CITY OF CALIFORNIA CITY NOTICE OF INTENT FOR THE PREPARATION AND CONSIDERATION OF AN INITIAL STUDY, MITIGATED NEGATIVE DECLARATION, AND CONDITIONAL USE PERMIT (CUP) 15-01

NOTICE IS HEREBY GIVEN that the City of California City Planning Department will prepared an Initial Study, Mitigated Negative Declaration, and CUP 15-01 for the project identified as a 40-acre Photovoltaic Solar Power Generation and Energy Storage Facility by Bolthouse Solar I, LLC, and Bolthouse Solar II, LLC; wholly owned subsidiaries of Pioneer Green Energy (PGE), LLC, 1802 Lavaca Street, Suite 200, Austin Texas 78701, under the direction of Patrick Buckley, Development Manager.

Project Description: Each project (Bolthouse I and Bolthouse II) will produce up to 5 megawatts (MW) of clean solar power, each located on approximately 19 acres of leased land and up to 10 MW of battery storage capacity to the grid. The property is owned by Greg and Virginia Sheehan, 2431 Pomino Way, Pleasanton, California. The Occupancy Rating is U (Utility and Miscellaneous Group). The project does not have a Purchase Power Agreement (PPA) at this time; the project applicant anticipates that the Point of Interconnection (POI) will be to an existing Southern California Edison (SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

The property is zoned Open Space/Residential Agricultural (O/RA) and the California City Municipal Code (CCMC) allows an electric distribution substation with a CUP. A favorable Staff Development Review (SDR) was completed on November 13, 2014 with staff's recommendation to prepare a mitigated negative declaration. PGE finalized and signed the revised SDR 14-16 Checklist and completed Item 15 of Exhibit A, to the satisfaction of the City on December 13, 2014. The revised SDR 14-16 Checklist and Exhibit A are considered the conditions of approval for CUP 15-01 and the mitigation measures, a combined total of 17 pages.

Project Location: The Bolthouse Solar Projects are located in the southwest quarter of the southwest quarter of Section 13, T32S, R37E, MDB&M (Lat. 35.1422/Lon. -117.9656, on APN 302-260-12 in California City, north of Mendiburu Road between Hacienda Boulevard and 93rd Street on the south side, if the streets went through to the north.

In accordance with the provisions of the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of CEQA, which have been adopted by the California Resources Agency, this Initial Study was undertaken for the purpose of deciding whether the Bolthouse Solar Project, might have a significant effect on the environment. On the basis of such Initial Study, the City's staff has concluded that this project could not have a significant effect on the environment and it is consistent with the existing General Plan 2009-2028. As mandated by State law, the minimum public review period for a Mitigated Negative Declaration is 30 days. The public review period begins on **Friday, January 23, 2015** and concludes on **Monday, February 23, 2015**, 5:00 p.m. COB. A copy of the Initial Study, Mitigated Negative Declaration and CUP 15-01 will be available for review at City Hall in the Planning Department located at 21000 Hacienda Boulevard, California City, California and on the City's website at www.californiacity.com.

NOTICE IS FURTHER GIVEN that the Planning Commission of California City will hold a public hearing at their regular meeting on **Tuesday, February 24, 2015, at 6:00 p.m.**, in the Council Chambers located at 21000 Hacienda Boulevard, California City, California 93505, to consider the Initial Study, Mitigated Negative Declaration and CUP 15-01 and if it could not have a significant effect on the environment, and nothing further is required, it may forward the Initial Study, Mitigated Negative Declaration and CUP 15-01, to the City Council for their consideration and adoption at a subsequent public hearing (the date to be determined). Testimony at future public hearings may be limited to those issues raised during the public review period.

ANY PERSON WISHING TO BE HEARD on this matter may appear and speak at the Planning Commission meeting or may submit their comments in writing, directly to the Planning Department.

William T. Weil, Jr.
City Manager/Planning Director

Dated: January 12, 2015

NOTICE OF AVAILABILITY OF THE
INITIAL STUDY, MITIGATED NEGATIVE DECLARATION,
AND CONDITIONAL USE PERMIT (CUP) 15-01
BY PLANNING COMMISSION

This is to advise that the City of California City Planning Department has prepared an Initial Study as a Mitigated Negative Declaration, and CUP 15-01 for the project identified as a 40-acre Photovoltaic Solar Power Generation and Energy Storage Facility by Bolthouse Solar I, LLC and Bolthouse Solar II, LLC; wholly owned subsidiaries of Pioneer Green Energy (PGE), LLC, 1802 Lavaca Street, Suite 200, Austin, Texas 78701, under the direction of Patrick Buckley, Development Manager.

Project Description:
Each project (Bolthouse I and Bolthouse II) will produce up to 5 megawatts (MW) of clean solar power, each located on approximately 19 acres of leased land and up to 10 MW of battery storage capacity to the grid. The property is owned by Greg and Virginia Sheehan, 2431 Pomino Way, Pleasanton, California. The Occupancy Rating is U (Utility and Miscellaneous Group). The project does not have a Purchase Power Agreement (PPA) at this time; the project applicant anticipates that the Point of Interconnection (POI) will be to an existing Southern California Edison (SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

Project Location:
The project is located in the southwest quarter of the southwest quarter of Section 13, T32S, R37E, MDB&M (Lat.35.1422/Lon. -117.9656, on APN 302-260-12 in California City, north of Mendiburu Road between Hacienda Boulevard and 93rd Street on the south side, if the streets went through to the north.

The property is zoned Open Space/Residential Agricultural (O/RA) and the California City Municipal Code (CCMC) allows an electric distribution substation with a CUP. A favorable Staff Development Review (SDR) was completed on November 13, 2014 with staff's recommendation to prepare a mitigated negative declaration. PGE finalized and signed the revised SDR 14-16 Checklist and completed Item 15 of Exhibit A, to the satisfaction of the City on December 13, 2014. The revised SDR 14-16 Checklist and Exhibit A are considered the conditions of approval for CUP 15-01 and the mitigation measures, a combined total of 17 pages.

As mandated by State law, the minimum public review period for a mitigated negative declaration is 30 days. This update is consistent with the existing General Plan 2009-2028 and a public hearing has been scheduled with the Planning Commission. The Planning Commission will consider the Initial Study, Mitigated Negative Declaration and CUP 15-01, following the 30-day review period on **Tuesday, February 24, 2015** at **6:00 p.m.**, in the Council Chambers at City Hall, 21000 Hacienda Boulevard, California City, California 93505-2293. The Planning Commission will forward its recommendation to the City Council for their consideration and adoption at a subsequent public hearing (the date to be determined).

Testimony at future public hearings may be limited to those issues raised during the public review period beginning **Friday, January 23, 2015** and concludes on **Monday, February 23, 2015** either orally or submitted in writing by 5:00 p.m., COB the day the comment period closes.

A copy of the Initial Study, Mitigated Negative Declaration and CUP 13-05 is available for the public to review at City Hall in the Planning Department located at 21000 Hacienda Boulevard, California City, California and on the City's website at www.californiacity.com. For further information, please contact the Planning Department at (760) 373-7141.

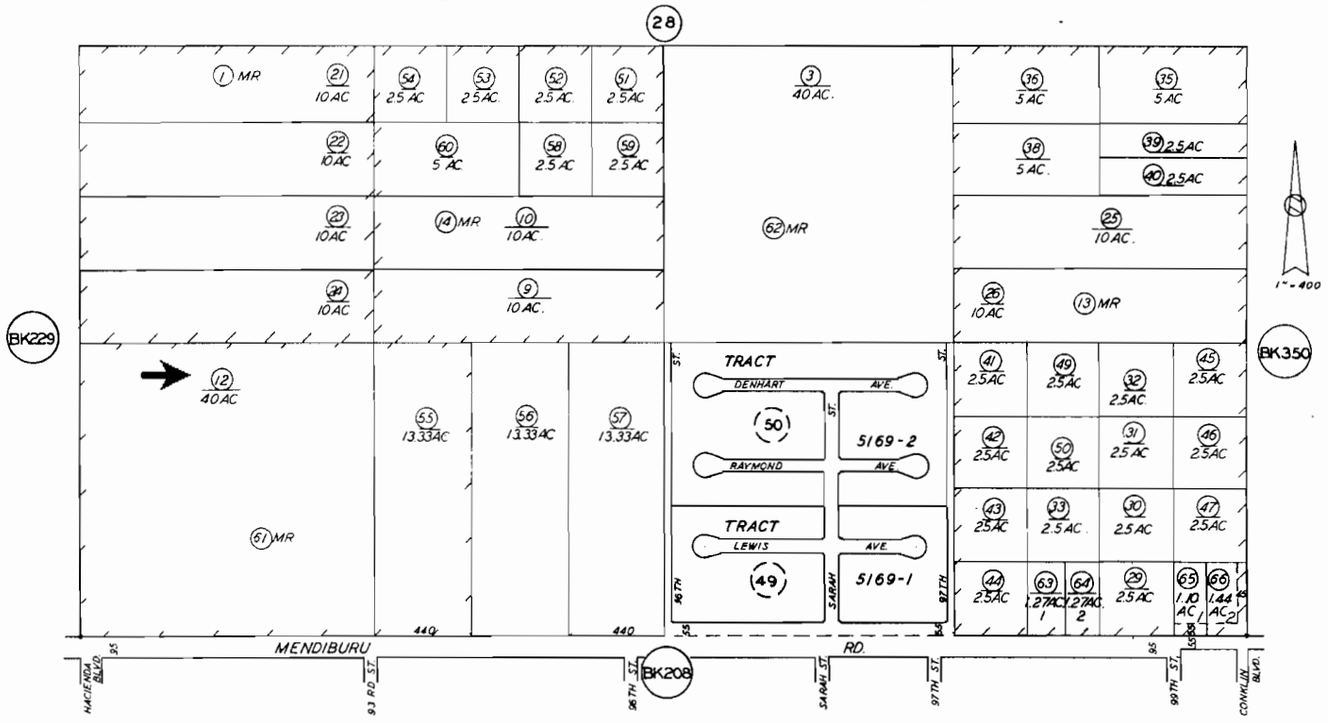
WTWJ:rg (1/12/15)

WTW

S1/2 OF SEC. 13 T. 32S. R. 37E.

SCHOOL DIST 111

302-26



Revised: 2/06/08

Note: This map is for assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO. 302-26
COUNTY OF KERN

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Initial Study, Mitigated Negative Declaration and Conditional Use Permit (CUP) 15-01

2. Lead Agency Name and Address: City of California City, 21000 Hacienda Boulevard, California City, California 93505-2293

3. Contact Person and Phone Number: William T. Weil, Jr., City Manager/Planning Director

4. Project Location: The project involves one lot totaling 40 acres located within the boundaries of California City in the County of Kern, California. Located in the southwest quarter of Section 13, T32S, R37E, MDB&M, (APN 302-260-12 - Latitude 35°, 8', 31" N /Longitude 117°, 57', 56" W).

5. Project Sponsor's Name and Address: Bolthouse Solar I, LLC and Bolthouse Solar II, LLC, are wholly owned subsidiaries of Pioneer Green Energy (PGE), LLC, Patrick Buckley, Development Manager, 1802 Lavaca Street, Suite 200, Austin, Texas 78701.

6. General Plan Designation: The property is designated Open Space/Residential Agricultural.

7. Zoning: The property is zoned O/RA.

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

   The total project site is approximately 40 acres on APN 302-260-12. The project is a Photovoltaic Solar Power Generation and Energy Storage Facility by Bolthouse Solar I, LLC and Bolthouse Solar II, LLC. Each project will produce up to 5 Megawatts (MW) of clean solar power, each located on approximately 19 acres of leased land within the 40 acres. There will be up to 10 MW of battery storage capacity to the grid. The remaining 2 acres is an avoidance area with a 25-foot buffer between the project and a dry creek bed located in the northwest corner of the property. The property is owned by Greg and Virginia Sheehan, 2431 Pomino Way, Pleaston, California. The Occupancy Rating is U (Utility and Miscellaneous Group). The project does not have a Purchase Power Agreement (PPA) at this time; the project applicant anticipates that the Point of Interconnection (POI) will be to an existing Southern California Edison (SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

9. Surrounding Land uses and Setting: (Briefly describe the project's surroundings)

   To the north of the project site is desert vacant land zoned O/RA (Open Space Residential Agricultural minimum lot size one acre). To the east is desert vacant land O/RA, R2 (Single Family Residential minimum lot size 10,000 sq. ft.). To the west is a combination of desert vacant land O/RA, C2 (Community Commercial), R1 (Single Family Residential minimum lot size 6,000 sq. ft.), RM2 (Residential Multiple Family for apartments). To the south is a combination of R1 and RM2 zones. Also located to the southwest is the City's High School (Government Public Facilities).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement). Distribution of this document is appropriate to the following agencies:

LIST OF AGENCIES

AGENCY	QTY TO BE MAILED
STATE CLEARINGHOUSE 1400 TENTH STREET SACRAMENTO CA 95812-3044	15
COUNTY CLERK COUNTY OF KERN 1115 TRUXTUN AVE - FIRST FLOOR BAKERSFIELD CA 93301-4639	2
KERN COUNCIL OF GOVERNMENTS ATTN MARILYN BEARDSLEE 1401 19TH ST STE 300 BAKERSFIELD CA 93301	1
ALAN BAILEY VERIZON TELEPHONE CO 520 SO CHINA LAKE BLVD RIDGECREST CA 93555	1
SARAH NEWMAN SOUTHERN CALIFORNIA EDISON 510 SO CHINA LAKE BLVD RIDGECREST CA 93555	1
HENRY BRIGGES THE GAS COMPANY TECHNICAL SERVICES DEPARTMENT 9400 OAKDALE AVE CHATSWORTH CA 91313-2300	1
SCOTT KIERNAN SUSTAINABILITY OFFICER/ ENCROACHMENT PREVENTION MGMT 195 E POPSON AVE 204-10 412 TW/XP/XPO EDWARDS AFB, CA 93524	1
JUDY HOHMAN US FISH & WILDLIFE SERVICE 2093 PORTOLA RD STE B VENTURA CA 93003	1

LIST OF AGENCIES (CONTINUED)

AGENCY	QTY TO BE MAILED
LINDA CONNOLLY DEPT OF FISH & WILDLIFE CENTRAL REGION 1234 EAST SHAW AVE FRESNO CA 93710	1
CAL-TRANS DISTRICT 9 CEQA COORDINATOR 500 SO MAIN ST BISHOP CA 93514	1
JERRY HELT HELT ENGINEERING 2930 UNION AVE BAKERSFIELD CA 93305	1
LAFCO 5300 LENNOX AVE STE 303 BAKERSFIELD CA 93301-1662	1
EKAPCD 2700 M STREET STE 302 BAKERSFIELD CA 93301	1
LINDA ADAMS CALIFORNIA REGIONAL QUALITY CB LAHONTAN REGION - VICTORVILLE OFFICE 14440 CIVIC DR STE 200 VICTORVILLE CA 92392	1
AARON HAUGHTON DISTRICT SUPERINTENDENT MOJAVE UNIFIED SCHOOL DISTRICT 3500 DOUGLAS AVE MOJAVE CA 93501	1
DAVE SINGLETON NATIVE AMERICAN HERITAGE COM 915 CAPITOL MALL ROOM 364 SACRAMENTO CA 95814	1
KERN VALLEY INDIAN COUNCIL ATTN ROBERT ROBINSON CHAIRPERSON PO BOX 401 WELDON CA 93283	1

LIST OF AGENCIES (CONTINUED)

AGENCY	QTY TO BE MAILED
TEHACHAPI INDIAN TRIBE CHARLIE COOK 32835 SANTIAGO ROAD ACTON, CA 93510	1
DELIA DOMINGUEZ 981 NORTH VIRGINIA COVINA, CA 91722	1 (Rep. Yowlumne & Kitanemuk Tribes)
EUGENE ALBITRE 3401 ASLIN STREET BAKERSFIELD, CA 93312	1 (Rep. Diegueno Tribe)
DR ROBERT YOHE, COORDINATOR CAL STATE UNIVERSITY BAKERSFIELD 9001 STOCKDALE HWY BAKERSFIELD CA 93311-1022	1
TEJON INDIAN TRIBE KATHY MORGAN CHAIRPERSON 1731 HASTI-ACRES DRIVE STE 108 BAKERSFIELD CA 93309	1
NATIVE AMERICAN HERITAGE COUNCIL OF KERN COUNTY/FAY VAN HORN PO BOX 1507 BAKERSFIELD CA 93302	1
KERN CO ENVIRONMENTAL HEALTH 2700 M STREET STE 300 BAKERSFIELD CA 93301	1
KERN COMMUNITY COLLEGE CHANCELLOR'S OFFICE 21000 CHESTER AVENUE BAKERSFIELD CA 93301	1
GAVEA 1028 WEST AVENUE L-12 STE 101 LANCASTER CA 93534	1
STEVE ARENSON REGIONAL ENVIRONMENTAL OFFICER FOR CA WESTERN REGION ENVIRONMENTAL OFC US AIR FORCE 50 FREMONT STREET STE 2450 SAN FRANCISCO CA 94105-22230	1

LIST OF AGENCIES (CONTINUED)

AGENCY	QTY TO BE MAILED
GARY MUNSTERMAN AFCEC/CPPR US AIR FORCE 50 FREMONT STREET STE 2450 SAN FRANCISCO CA 94105-22230	1
TIM KILGANNON REGION 9 ENVIRONMENTAL COORDINATOR REGIONAL ENVIRONMENTAL & ENERGY OFC OFC OF THE DEP ASST UNDERSECY OF THE ARMY OFC OF STRATEGIC INTEGRATION 721 19TH ST ROOM 427 DENVER CO 80202	1
PHIL A CROSBIE CHIEF FORCE INTEGRATION (FI) NTC G3 PO BOX 10172 FT IRWIN CA 92310	1
GARY HOUSTON CHIEF ENVIRONMENTAL DIVISION DIRECTORATE OF PUBLIC WORKS USAG FORT HUNTER LIGGET CA 93928	1
STEVE CHUNG COMMUNITY PLANS & LIAISON OFFICER NAVY REGION SOUTHWEST US NAVY 1220 PACIFIC HIGHWAY SAN DIEGO CA 92132-5190	1
PATRICK BUCKLEY DEVELOPMENT MGR PIONEER GREEN ENERGY LLC 802 LAVACA STREET STE 200 AUSTIN TX 78701	1
PATRICK CHRISTMAN DIRECTOR WESTERN ENVIRONMENTAL OFC US MARINE CORPS BUILDING 1164 BOX 555246 CAMP PENDLETON CA 92055-5246	1
ANDY ATIYEH MS JD A2CONSULTING LLC 30 GALEANA STE 100 FOOTHILL RANCH CA 92610	1

LIST OF AGENCIES (CONTINUED)

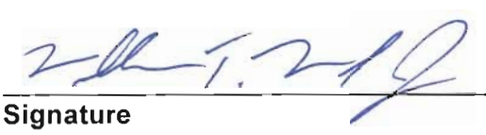
AGENCY	QTY TO BE MAILED
LISA GYMER SR ENVIRONMENTAL SCIENTIST DEPT OF FISH & WILDLIFE 1234 EAST SHAW AVE FRESNO CA 93710	1
GREG & VIRGINIA SHEEHAN 2431 POMINO WAY PLEASANTON CA 94566	1
ALICE KARL Ph.D PO BOX 74006 DAVIS CA 95617	1
DAVE HACKER REGION 4 CLIMATE SCIENCE & RENEWABLE ENERGY 3196 S HIGUERA ST STE A SAN LUIS OBISPO CA 93401	1
CALIFORNIA ENERGY COMMISSION JAMES W REED JR 1516 NINTH ST MAIL STOP 17 SACRAMENTO CA 95814	1
PUBLIC UTILITIES COMMISSION 505 VAN NESS AVE SAN FRANCISCO CA 94102	1

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below (■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Hazards & Hazardous Materials		Public Services
	Agriculture Resources		Hydrology/Water Quality		Recreation
	Air Quality		Land Use/Planning		Transportation/Traffic
	Biological Resources		Mineral Resources		Utilities/Service Systems
	Cultural Resources		Noise		Mandatory Findings of Significance
	Geology/Soils		Population/Housing		

DETERMINATION: (To be completed by the Lead Agency). On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	



Signature

January 14, 2015
Date

William T. Weil, Jr.
Printed Name

City Manager/Planning Director
Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in its explanation following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e. g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation incorporated, or less than significant. "Potentially Significant Impact' is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

(a) Earlier Analysis Used. Identify and state where they are available for review.

(b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

(c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address the site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significant.

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista? No. The Project area is not within a scenic vista and the Project area is not considered a scenic resource, so construction of the Project would not degrade the visual quality of the area for travelers on nearby roadways and nearby residents. A visual barrier along the roadway will be constructed.		X		
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. No. The property is not within a state scenic highway and would not threaten any scenic resources, trees, rock outcroppings, and there are no historic buildings.			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings? No. The Project is not within a scenic vista and the Project area i not considered a scenic resource, so construction of the Project would not degrade the visual quality of the area for travelers on nearby roadways and nearby residents. The project will have no adverse effect on existing recreation facilities. There are no existing public trails or parks in the project site vicinities.			X	
d) Create a new source of substantial light. No. Lighting shall be deflected downward to cause no glare to aircraft. The project is not within 2 miles of the California City Municipal Airport and the City is in the R2508 Restricted Airspace of Edwards Air Force Base. No wind turbines or solar mirrors are allowed within the City of California City.			X	
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation (DOC) as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use? No. The Project is not located on any Important Farmland as defined by California DOC's FMMP, and thus does not convert Important Farmland to non-agricultural uses.				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? No. The Project is on Open Space/Residential Agricultural (O/RA) zoning, and is allowable with a Conditional Use Permit (CUP).				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? No. The Project is not located on existing Farmland or close to Farmland. It will not result in the conversion of Farmland to non-agricultural uses.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or a ir pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? No. During and after construction a water truck will be used to minimize dust by spraying/dampening the ground and limiting vehicle speed to 10 MPH will be posted and required inside the facility.		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? No. This solar project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. After construction is completed there will be limited access to the facility. The solar modules will be maintained as necessary and vehicle speed inside the facility will be 10 MPH. A water truck will be used to spray and dampen the ground to minimize dust.				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? No. The solar project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).				X
d) Expose sensitive receptors to substantial pollutant concentrations? No. There would be no sensitive receptors exposed to substantial pollutant concentrations.				X
e) Create objectionable odors affecting a substantial number of people? No. This project would not create objectionable odors.				X
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service? Based on a biological resources assessment completed in October 2014, there are no species of concern on the Project site. Protocol surveys were conducted for California Desert Tortoise and burrowing owl. The Project will observe avoidance and monitoring protection measures developed in consultation with California Department of Fish and Wildlife. These measures are to prevent substantial adverse Impact during Project construction and operations.		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service? No riparian habitat or sensitive natural communities are present on the Project site.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No. There are no federally protected wetlands in the City.				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites? No. The Project is not located within any wildlife corridors, nor will it interfere with the use of wildlife nursery sites. The Project will observe avoidance and monitoring protection measures developed in consultation with California Department of Fish and Wildlife. These measures are to prevent substantial adverse impacts during Project construction and operations.		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? No. The Project will not interfere with any local policies or ordinances protecting biological resources. There are no tree preservation policies or ordinances in California City.				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Conservation Community Plan (NCCP), other approved local, regional, or state HCP? No. The Project is not located within, nor will it interfere with any HCP, NCCP, or other approved HCP or areas.				X
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? No. There are no historical buildings on or near the site.				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? No. The Project will not effect or cause substantial change to archeological or historic resources pursuant to California Environmental Quality Act (CEQA) Section 15064.5.				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? No excavation is expected in the project area however, if a unique paleontological resource or site or unique geologic feature are found, all work will be suspended until the area has been thoroughly examined. Such discoveries may result in delays in development as each project applicant must individually negotiate with the overseeing governmental agencies.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries? No excavation is expected in the project area however, if any human remains, including those interred outside of formal cemeteries are found, all work will be suspended until the area has been thoroughly examined. Such discoveries may result in delays in development as each project applicant must individually negotiate with the overseeing governmental agencies.				X
6. GEOLOGY AND SOILS. Would the project				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. No. There are no known active faults on the project site. However, the Garlock Fault (west) is approximately 9 miles from the project site and the Garlock Fault (east) is approximately 12 miles from the project site. The Muroc Fault traverses the southeastern portion of the City. This fault has not demonstrated Holocene movement during the past 11,000 years and, therefore, is not classified as an active or potentially active fault (reference page 6-3 of the City's General Plan, source Geological Hazards Study, April 2003). In addition, the Project site will not be occupied and will not have any permanent structures, thus, would not expose either to adverse effects from seismic occurrences.				X
ii) Strong seismic ground shaking? No. There are no known active faults on the project site. However, seismic ground shaking and seismic-related ground failure and liquefaction could occur without warning in any location in the state of California.				X
iii) Seismic-related ground failure, including liquefaction? No. There are no known active faults on the project site. However, seismic ground shaking and seismic-related ground failure and liquefaction could occur without warning in any location in the state of California.				X
iv) Landslides? No. Landslides are highly unlikely due to the terrain of the project site.				X
b) Result in substantial soil erosion or the loss of topsoil? No. Project will require minimal grading and excavation, and would prepare a Storm Water Pollution Prevention Plan (SWPPP) that includes erosion-control measures to control storm water runoff. The Project will disturb more than one acre of land and the project proponent will apply for a Waste Discharge Identification (WDID) Number.		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? No. Project site lies in a flat-lying plain where landslides would not be expected to occur. Impacts related to landslides are not anticipated to occur or pose a hazard.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? No. Project would be designed to comply with building code requirements to withstand the effects of expansive soils.				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? There will be no facilities of this nature on the site.				X
7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? No hazardous materials are expected to be used for Project construction or operations, therefore there will be no need for transport or disposal of such materials.				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? No hazardous materials are expected to be used for Project construction and operations, therefore there are no foreseeable upset or accident conditions involving such materials.				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No hazardous materials are expected to be used for Project construction and operations, therefore there are no foreseeable emissions or handling of such materials.				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? No. According to the Cortese List, there are no hazardous material sites in the City of California City.				X
e) For a project located within an Airport Land Use Plan (ALUP) or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? No. The Project is not within an ALUP and is not within 2 miles of the California City Municipal Airport. California City is in the R2508 Restricted Airspace of Edwards Air Force Base where flight testing occurs on a regular basis. The Project will not result in any safety hazards to people.				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No. There are no private airstrips within the jurisdictional boundaries of the City.				X

ssues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? No. This Project would not impair or physically interfere with the City's adopted emergency response plan or emergency evacuation plan.				X
h) Expose people or structures to a significant risk of loss, injury or death including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? No. There are no wildlands in the vicinity of this Project.				X
8. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements? No. Project is required to obtain a WDID Number and would prepare a SWPPP that would include Best Management Practices (BMP) erosion-control measures to control storm water runoff.		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? No. The solar project does not need water other than for periodically cleaning the modules and minimizing dust with the use of a water truck.				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? No. The Project will avoid an existing drainage pattern that touches the northwest corner of the site and incorporate a 25-foot buffer. Otherwise, the Project site is flat and the solar panels and associated facilities would require limited grading on-site.		X		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? The Project site is flat, and the solar panels and associated facilities would require limited grading onsite.				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? No. All storm water drainage is retained onsite.				X
f) Otherwise substantially degrade water quality? No. The Project will prepare a SWPPP that would include BMP erosion-control measures to control storm water runoff.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No. There is an existing drainage pattern (2 acres) located at the northwestern corner of the Project site and is considered within Federal Emergency Management Agency (FEMA) 100-year Flood Zone A. The Project will avoid that area and will include a 25-buffer recommended by the biologist and reviewed by the California Department of Fish and Wildlife (CDFW). The remaining portion of the Project site (38 acres) is located entirely within FEMA Flood Zone X considered an area of minimal flooding.		X		
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? No portion of the Project will be built within a 100-year flood zone. No permanent structures that would affect flood flows are being placed near the solar modules or battery area.				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? No portion of the Project will be built within a 100-year flood zone. No permanent structures that would affect flood flows are being placed near the solar modules or battery area.				X
j) Inundation by seiche, tsunami, or mudflow? No. The project site is not in a flood zone. The Project site is in Flood Zone X an area of minimal flooding. The Project is not located near a body of water subject to tsunami or seiche, and is not located near a slope subject to mudflow.				X
9. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community? No. This solar project would not divide the community.				X
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? No. The Project is located in Open Space/Residential Agricultural (O/RA) zoning, and is allowable with a CUP. It does not conflict with any existing land use plan, policy, or regulation.		X		
c) Conflict with any applicable Habitat Conservation Plan (HCP) or Natural Communities Conservation Plan (NCCP)? No. The Project is not located within any HCP or NCCP area(s).				X
10. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? No. There are no mineral resources on the Project site.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No. There are no mineral resources on the Project site.				X
11. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? No. The Photovoltaic (PV) Project will not produce noise during operations. Construction will comply with the City's noise standards.				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? No. The PV Project does not have any moving parts that will produce vibration during operations. Construction will comply with the City's Noise Standards.				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? No. The City of California City is in the R2508 Restricted Airspace of Edwards Air Force Base where flight testing occurs on a regular basis. Project operations will not produce any noise.				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Project operations will not produce any noise. Construction will comply with City's Noise Standards.				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? The project site is not within two miles of the California City Municipal Airport. However, the City of California City is in the R2508 Restricted Airspace of Edwards Air Force Base where flight testing occurs on a regular basis.				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? No. There are no private airstrips within the jurisdictional boundaries of the City. However, the City of California City is in the R2508 Restricted Airspace of Edwards Air Force Base where flight testing occurs on a regular basis.				X
12. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? No. There are no direct or indirect substantial population growth expected to result from the development of this project.				X

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No. Project is on a vacant undeveloped lot and will not displace any existing housing.				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? No. Project is on a vacant undeveloped lot and will not displace any existing housing.				X
13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? No. The Project will comply with City Fire Department requirements for fire protection, site ingress/egress and access roads comprised of an aggregate base sufficient to sustain the weight of emergency vehicles, as outlined in the Site Development Review (SDR) 14-16 document.		X		
b) Police protection? No. Project will maintain security fencing, lighting, and alarm systems as required in the SDR 14-16 document.		X		
c) Schools? No. PV Project will be similar to PV systems that currently exist at all California City schools.				X
d) Parks? No. The City has an 80-acre central park and a 15-acre neighborhood park site northwest of the central core.				X
e) Other public facilities? No. There are no other public facilities.				X
14. RECREATION.				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? No. There are no public parks in the vicinity. The City has an 80-acre central park and a 15-acre neighborhood park site northwest of the central core.				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? No. Fencing the site for the use as a solar facility will be a benefit for renewable energy.				X
15. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? No. The construction phase will increase traffic with trucks making deliveries of the solar modules and equipment. Once completed the solar facility will be maintained periodically and monitored by security cameras.			X	

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? No. The construction phase will increase traffic with trucks making deliveries of the solar modules and equipment. Once completed the solar facility will be maintained periodically and monitored by security cameras.			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? No. The City of California City is in the R2508 Restricted Airspace of Edwards Air Force Base where flight testing occurs on a regular basis. The site is not within two miles of the California City Municipal Airport.				X
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e. g. farm equipment)? No. Equipment and trucks will be moved in during slower traffic hours.			X	
e) Result in inadequate emergency access? No. Equipment and trucks will be moved in during slower traffic hours.			X	
f) Result in inadequate parking capacity? No. The site has adequate parking capacity during the construction phase (38.00 acres). After construction, the parking requirements in the CCMC Section 9-2.208 will be complied with for industrial uses conducted primarily outside of buildings: One parking space for each employee on the maximum shift plus additional parking spaces prescribed by the Planning Director.				X
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? No. Equipment and trucks will be moved in during slower traffic hours.				X
16. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? No. The project site has no water on site.				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? No. There is adequate capacity since this project requires no water or any use of wastewater treatment facilities.				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? No. The project would not result in the construction or expansion of storm water drainage facilities, all storm water will be retained onsite.		X		

Issues and Supporting Information Sources	Potentially Significant Impacts	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? No new entitlements and resources, or expansion is needed. The site has no water and does not require water. Maintenance of the solar modules will be with a water truck for cleaning purposes; spraying/dampening the ground to reduce dust as necessary according to the construction and long term Dust Mitigation Plans (DMP).		X		
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? No. There is adequate capacity since this project requires no water or any use of wastewater treatment facilities.				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Yes. If necessary however this project does not require solid waste disposal, there are no facilities located onsite.				X
g) Comply with federal, state, and local statutes and regulations related to solid waste? Yes. The project will comply with all local statutes and regulations related to solid waste.				X
17. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? No. There are no species of concern on the Project site, and it will not reduce wildlife habitat or migration corridors. The Project will observe avoidance and monitoring protection measures developed in consultation with CDFW. These measures are to prevent substantial adverse impacts during Project construction and operations. The Project will not affect any historical resources.		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? No. The Project will not have any cumulative effect in connection with other projects in the City.				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? No. Project will not have any environmental effects which would cause substantial adverse effect on humans, either directly or indirectly.			X	

-END OF DOCUMENT-

RESOLUTION NO. 02-24-2015PC
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALIFORNIA CITY TO APPROVE CONDITIONAL USE PERMIT (CUP) 15-01 AND MAKE RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OF THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF CALIFORNIA CITY as follows:

1. PURPOSE.

The Commission considered and made recommendations for approval of CUP 15-01 at a duly noticed public hearing on February 24, 2015 for the purpose of operating a Photovoltaic Solar Power Generation Facility and Energy Storage Facility by Bolthouse Solar I, LLC and Bolthouse Solar II, LLC; wholly owned subsidiaries of Pioneer Green Energy (PGE), LLC, 1802 Lavaca Street, Suite 200, Austin, Texas 78701.

The property is located in the southwest quarter of the southwest quarter of Section 13, T32S, 37E, MDB&M (Lat. 35.1422/Lon.-117.9656, on APN 302-260-12 in California City, north of Mendiburu Road between Hacienda Boulevard and 93rd Street on the south side, if the streets went through to the north on 40 acres. The property is being leased from the property owners Greg and Virginia Sheehan, 2431 Pomino Way, Pleasanton, California.

Each project (Bolthouse I and Bolthouse II) will produce up to 5 megawatts (MW) of clean solar power, each located on approximately 19 acres of leased land and up to 10 MW of battery storage capacity to the grid. The Occupancy Rating is U (Utility and Miscellaneous Group). The project does not have a Purchase Power Agreement (PPA) at this time; the project applicant anticipates that the Point of Interconnection (POI) will be an existing Southern California Edison

(SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

The property is zoned Open Space/Residential Agricultural (O/RA) and the California City Municipal Code (CMC) allows an electric distribution substation with a CUP. A favorable Staff Development Review (SDR) was completed on November 13, 2014 with staff's recommendation to prepare a mitigated negative declaration. PGE finalized and signed the revised SDR 14-16 Checklist and completed Item 15 of Exhibit A, to the satisfaction of the City on December 13, 2014. The revised SDR 14-16 Checklist and Exhibit A are considered the conditions of approval for CUP 15-01 and the mitigation measures, a combined total of 17 pages.

2. FINDINGS.

The Planning Commission finds, determines and declares:

(1) All improvements will be in accordance with City and County Standards; including provisions set forth in the Uniform Building Code, State and Federal Fire Codes, including obtaining a Kern County Waste Discharge ID (WDID) permit as required when a project disturbs more than one acre of land, State and Federal requirements as applicable;

(2) This conditional use permit expires eighteen (18) months from the date of the Planning Commission's approval if the project is not commenced and diligently pursued,

(3) A copy of any changes to the existing lease, including renewal, the applicant will provide a copy to the City's Planning Department,

(4) All provisions of the California City Municipal Code currently in effect must be complied with,

(5) This project has been reviewed by Staff Development Review (SDR) as project SDR 14-16 on November 13, 2014 and finalized on December 13, 2014 applicable to CUP 15-01;

(6) The revised SDR 14-16 Checklist and Exhibit A, a combined total of 17 pages, are considered the conditions of approval for CUP 15-01 and the mitigation measures, to minimize or eliminate any significant adverse environmental impacts discussed during the SDR 14-16 meeting and are made a part as the Conditions of Approval for the Bolthouse Solar I, LLC and Bolthouse Solar II, LLC Photovoltaic Solar Power Generation and Energy Storage Facility, hereinafter referred to as "Bolthouse Conditions," were prepared;

(7) Due to the size of this project, an Initial Study and Mitigated Negative Declaration was prepared and submitted along with the CUP 15-01 Conditions of Approval to the State Clearinghouse for a mandatory 30-day review period.

(8) A duly-noticed public hearing has been conducted to consider the conditions of approval, CUP 15-01 and this Resolution 02-24-2015PC;

(9) CUP 15-01 will promote the welfare of the community;

(10) CUP 15-01 is consistent with the General Plan and the City's Zoning Regulations.

3. CONDITIONAL USE PERMIT (CUP). The Planning Commission of the City of California City does hereby approve CUP 15-01, with all conditions of approval as stipulated in **Exhibit A**, subject to the City Council's concurrence and approval of the Initial Study and Mitigated Negative Declaration and shall remain in effect for as long as the use is conducted in accordance with the use permit, its stipulations, and is not otherwise in violation of the Zoning Regulations and Municipal Code.

I HEREBY CERTIFY that the foregoing resolution was duly passed and adopted by the Planning Commission on the 24th day of February, 2015.

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Chairman

ATTEST:

_____
Recording Secretary

Staff Development Review (SDR)
Initial Review of Checklist and Application
SDR 14-16
Thursday, November 13, 2014, 10:30 a.m.

Project Description:
Project companies are Bolthouse Solar I , LLC and Bolthouse Solar II, LLC, wholly owned subsidiaries of Pioneer Green Energy (PGE), LLC, 1802 Lavaca Street, Suite 200, Austin, Texas 78701, under the direction of Patrick Buckley, Development Manager. Mr. Buckley is requesting a Staff Development Review (SDR) to construct a Photovoltaic (PV) Solar Power Generation and Energy Storage Facility on 40 acres. The two projects, Bolthouse I will produce up to 5 megawatts (MW) of clean solar power and the Bolthouse II will produce up to 5 MW of clean solar power, each located on approximately 19 acres of leased land and up to 10 MW of battery storage capacity to the grid. The property is owned by Greg and Virginia Sheehan, 2431 Pomino Way, Pleasanton, California. The Occupancy Rating U (Utility and Miscellaneous Group). The project does not have a Purchase Power Agreement (PPA) at this time, the project applicant anticipates that the Point of Interconnection (POI) will be to an existing Southern California Edison (SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

Project Location:
The project is located in the southwest quarter of the southwest quarter of Section 13, T32S, R37E, MDB&M (Lat.35.1422/Lon. -117.9656, on APN 302-260-12 in California City, north of Mendiburu Road between Hacienda Boulevard and 93rd Street on the south side, if the streets went through to the north.

Land use.

__X__ Is the project appropriate for the zoning? Yes. The property is zoned O/RA (Open Space/Regional Agriculture with a conditional use permit (CUP).

__X__ Are set backs appropriate? Yes. This project does not require setbacks, however according to the concept and site plan, the applicant has provided a 25-foot project buffer surrounding the perimeter of the project site.

CEQA.

__X__ Due to the size of the project (40 acres) the total number of modules are to be determined (TBD) with a photovoltaic layout for both phases. The combined total of up to 10 MW on 38 acres of modules plus the storage project will be developed as a separate, independent facility during the second phase and will be capable of storing up to 10 MW, which would supply the energy needs of over 3,000 California residences. Each modular collection enclosure that gathers the output of up to 10 MW of PV panels is anticipated to be an 8-foot-by-60 foot pre-fabricated structure up to 15 feet in height which cannot be occupied. Interior project roads are 20 feet wide that may vary slightly between rows, for driving to install and maintain the modules.

The biota study identified and recorded no desert kit foxes and fox presence on the Project Site. While not present on the Project Site, it was reported that one active and one inactive burrow was observed in what is called the "buffer area" which is on another lot, not part of this project and is on private property. The desert kit fox is a fully protected species and no take permits are available.

There were no signs of Mohave ground squirrel at the proposed project site, and because of the poor habitat at the site along with elevated chance of predation due to its proximity to homes across the street, no future presence is expected. There were no signs of desert tortoise present on the Project Site. The site is not considered a connectivity corridor to the Desert Tortoise Reserve Natural Area (DTRNA) or to the Desert Wildlife Management Area (DWMA) to the north and west of the Project Site. There is no occupied desert tortoise habitat south and east of the Project Site. While not currently present on the Project Site, a very low number of tortoises could move onto the site and/or be injured or killed during construction activities, including upgrades to the very short access road.

A single, probably migrating Brewer's sparrow was observed. The Project Site itself does not have high quality habitat for birds, and most species that might nest there are common (e.g., sage sparrow, horned larked). The two artificially enhanced washes, which are largely offsite, would offer the best habitat for most bird species. These are two artificially enhanced washes that flow along the Project Site's borders can be avoided by configuring the Projects grading, solar arrays and infrastructure, or provide alternative contouring or barriers to preclude flow of Project-related materials into those channels. A quarter of a mile to the east of the Project Site on the north side of Mendiburu Road is a developed single family housing subdivision. The south side of the Project Site, south of Mendiburu Road between Hacienda Boulevard and 93rd Street, there is a combination of developed homes and multiple family units. To the southwest is the City' high school and undeveloped multiple family zoning. Only one of the washes touches the northwest corner of the Project Site and will be avoided according to the Project Description Section 9.5. Further research on these washes identified on FEMA Flood Zone Panel 06029C2939E, FEMA Panel Date 9-26-08 that the northwest corner of the Project Site is actually a portion of the Yerba Rushe Creek, typically a dry creek and is considered Flood Zone A. The second wash to the east running north/south as depicted in the biologist's notes, is not reflected on the FEMA Flood Map and is more than likely an artificially enhanced wash. It is advisable not to disturb these two artificially enhanced washes with barriers or grading of any kind. If the California Department of Fish and Wildlife (CDFW) determines that the action could have an adverse affect on existing fish and wildlife resources, a Lake or Streambed Alteration (LSA) Agreement is required. The Project will disturb more than one acre of land requiring a Waste Discharge Identification Number (WDID) construction permit issued 10 business days after the State Water Board receives the applicant's Notice of Intent (NOI) package.

No burrowing owl and no burrowing owl signs were encountered during surveys. Since the site is burrowing owl habitat and it would not be unusual for them to attempt to occupy the site. However, the elevated predation by domestic dogs and coyotes would likely limit the success of that occupation due to nearby residences. According to the Project Description, Section 5.3 Site Preparation and Grading Activities, page 9, the vegetation must be removed as no vegetation is permissible among the PV panels in order to avoid shading and brush fire hazard, (See Fire Protection). Grading for site infrastructure, such as main access and perimeter driveways, fencing and substation, will be done along the perimeters of the site. Section 6.4 Weed Management and Dust Control, page 11, the use of common herbicides approved by the approved by the California Environmental Protection Agency (CEPA) and the CDFW will be used, if necessary to control weed growth. One plant species observed

during Spring 2014 that is protected under the California Desert Native Plants Act (CDNPA) is the silver cholla (Cylindropuntia echinocarpa) very uncommon on the site. To fulfill the County requirements, individuals can be mapped and qualified for salvage and transplanting if tortoise or burrowing owls pre-construction clearance surveys are conducted, or during initial site grading.

Based on the collective findings of the biota study, Project Description, and due to the size of the project, staff is recommending the applicant/tenant consult with the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Services (USFWS) and State Water Board to acquire the proper permits or other compliance documents and provide copies to the City's Planning Department. Staff further determines the need to file a mitigated negative declaration with the State Clearinghouse for a 30-day review period. These findings and determinations will be made a part of the conditions of approval for the conditional use permit (CUP).

Sewer.

__X__ Requirements? There is a 12-inch sewer line that runs along Mendiburu Road. This project does not require the use of sewer and therefore, the applicant/tenant is requesting to defer.

__X__ Ingress/Egress? Yes there is access to the site from the southwest corner at the intersection of Mendiburu Road and Hacienda Boulevard. According to the Site Plan there are 20-foot wide interior project roads and a 25-foot interior perimeter project buffer road.

__X__ Curb, gutter, sidewalks? ~~**Is required and will be deferred until such time as either of the neighboring lots develop.**~~ **See Attached SDR 14-16 Revision Letter dated 11/19/14, made a part of this document as Exhibit A.**

Parking.

__X__ Requirements? Yes. There is no parking spaces shown on the concept and site plan. Maintenance of the modules consists of parking on the 20-foot wide interior project roads and 25-foot wide interior perimeter project buffer road. **According to the the Zoning Code, Section 9-2.208 Schedule of Off-Street Parking Space Requirements, item (23) Open uses, commercial and industrial uses conducted primarily outside of buildings: One parking space for each employee on the maximum shift plus additional parking spaces prescribed by the Planning Director.**

Fencing.

__X__ Requirements? According to the Project Description, Section 4.10 Fencing, page 8 explains the site perimeter is expected to be enclosed by a 6 to 8-foot chain link fence topped with a 1 to 2-foot barbed wire section. The fence posts will be at 10-foot intervals. As part of the mitigation and minimization measures that may be implemented for wildlife in the project areas, the fencing may be required to be raised to allow wildlife to travel across the site, and to avoid habitat fragmentation or impact on connectivity corridors. Each site's access points will be gated and swinging or rolling chain link gates.

Street Lighting.

__X__ Requirements? According to the Project Description Section 6.3 Site Security, page 11 will

be provided by monitoring cameras, electronic security systems, and by periodically driving along the site's perimeter security fences. There will not be perimeter lighting, although there may be some deflected downward lighting onsite. **Lighting shall be deflected downward to cause no glare to aircraft. The City is in the R2508 Restricted Airspace of Edwards Air Force Base.**

Fire Protection.

__X__ Requirements? There is no water onsite and no fire hydrant. Water will be used during construction for dust control and during operations for panel washing. All water will be trucked in. Other fire protection requirements may apply, see the California City Fire Department Business Compliance Requirements, page 5 of this document. Typically businesses require a knox box. The California City Fire Chief will address this at SDR.

Landscaping.

__X__ There is no landscaping proposed on the site.

Trash Enclosure.

__X__ According to the pictures provided by the owner/applicant there is no trash enclosure.

Other.

__X__ Applicant must satisfy all Federal, State, County and City Department requirements prior to obtaining a business license.

Notes: See Attached SDR 14-16 Revision Letter dated 11/19/14, made a part of this document as Exhibit A.

Completed SDR: _____, CITY MANAGER Date: 11/13/14
City Official and Title

Scheduled Planning Meeting : Yes (TBD) Continued SDR Date: _____
Date If Applicable

I, the undersigned, understand all requirements for the project discussed before the California City Staff Development Review meeting on this date and understand that no action will be taken by the Planning Department until all requirements are fulfilled.

Owner/Agent Signature: See Letter of Authorization & Deeds Date: 11/13/14
Gregory & Virginia Sheehan
Owners

Applicant Signature: _____ Date: 11/13/14
~~Patrick Buckley, Development Manager~~
Pioneer Green Energy/Bolthouse Solar
ANDREW BOWMAN, PRESIDENT

California City Fire Department

Business Compliance Requirements

Fire Department requirements are derived from information specified in the California Fire Code and California City Municipal code. All items are subject to Fire Department approval. Additional items may apply.

- **Occupancy Classification** – A1 A2 A3 A4 A5 B E F H I M R S (U)
- **Change of use or occupancy** – Based on fire official approval, change shall conform to fire code and building code for specified group.
- **Permit(s)** – Permits required as defined by fire official shall be obtained and appropriate fees paid prior to issuance.
- **Fire Department Access** – Fire department access roads shall be provided and maintained providing an obstructed 20' horizontal width and vertical clearance of 14'.
- **Property Identification** – Address numbers shall be a minimum of 4" on contrasting background. Numbers shall be placed in a horizontal position. Multiple buildings utilizing address shall be marked accordingly. (Ex; Building 4, Apts 401-423)
- **Key Box** – 3200 Series or approved Knox Box shall be obtained by property owner or occupant and maintained. When applicable, the Knox Box shall be mounted where the bottom of the box is 5' from the ground and located adjacent to the main entry door.
- **NFPA 704 Diamond** – When required, 704 Placards shall be placed at entrances to places were hazardous materials are dispensed, stored or used.
- **Water Supply** – A minimum fire flow of 1,500 gallons per minute is required for commercial structures. Fire flow requirements may be reduced by fire official if approved automatic sprinkler system is installed.
- **Fire Hydrant(s)** – Hydrants shall be located at pre-determined locations as identified by the fire official. Maximum distance to hydrant shall not exceed 250'.
- **Fire Protection Extinguishers** - Fire Extinguisher(s) with a minimum rating of 2A 10B:C shall be provided per each 3000 square foot area designated as ordinary combustible. Maximum travel dispatch to the extinguisher shall not exceed 75'. Extinguisher shall be at least 4" and no more than 5' from floor. Extinguisher shall be located with preference near main exit.
- **Fire Protection Systems** – Where required, commercial cooking equipment shall be protected by an approved extinguishment system. In addition to the system, appliances utilizing vegetable oil shall be protected with a Class K extinguisher.
- **Exit(s)** – Exit requirements are based on occupancy class.
- **Electrical** – Electrical equipment and wiring, including open junction boxes shall be secured and maintained.
- **Miscellaneous** –

Applicant must satisfy all Fire Department and Building Department requirements prior to obtaining a business license.

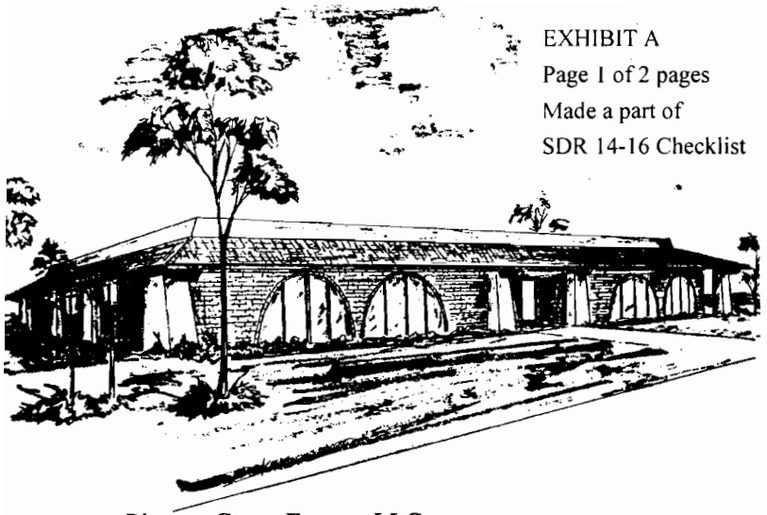


EXHIBIT A
Page 1 of 2 pages
Made a part of
SDR 14-16 Checklist

Incorporated 1965

City of California City

City Hall

PHONE (760) 373-8661

21000 HACIENDA BLVD. - CALIFORNIA CITY, CALIFORNIA 93505

November 19, 2014

Pioneer Green Energy, LLC.
Attn: Patrick Buckley
Development Manager
1802 Lavaca Street, Suite 200
Austin, Texas 78701

SUBJECT: Bolthouse Solar I, LLC and Bolthouse Solar II, LLC, Projects, Staff Development Review (SDR) Revisions 14-16 (Conditions of Approval) for APN 302-260-12 (40 acres) located at the corner of Mendiburu Road and Hacienda Boulevard in California City, California.

Dear Mr. Buckley:

This letter is a follows-up to yesterday's conference call on November 18, 2014 at 2:30 p.m. with you and your Consultant, Mr. Andy Atiyeh regarding changes discussed at your recent SDR 14-16 meeting on Thursday, November 13, 2014.

1. All project improvements made will be in accordance with City and County Standards and State and Federal requirements as applicable; including any governmental permit requirements and all requirements set forth in the Uniform Building Code, State and Federal Fire Codes, including obtaining a County Waste Discharge ID (WDID) as required when a project disturbs more than one acre of land.

2. Prior to any construction on-site, or offsite, all appropriate permits and approvals must be secured from the applicable governing authority.

3. Applicant will provide the City's Planning Department with a copy of their Dust Mitigation Plan.

4. Applicant will obtain water for the project site from the City of California City.

5. Applicant will construct a visual barrier on the south side of the property, appropriate fencing on the remaining three sides with two 20-foot gates accessible to emergency vehicles. The gates are to be located on Hacienda Boulevard and Mendiburu Road.

6. Applicant will construct 20-foot wide ingress/egress roads, comprised of an aggregate base sufficient to sustain the weight of emergency vehicles.

7. Applicant will construct curb and gutter using Kern County Standards; these are subject to change in the near future. Applicant will verify all standards with the City's Building Official.

8. It is recommended, to redesign the project site plan to move the battery storage to the front of the property, to the south, off of Mendiburu Road, to eliminate the need for a future fire hydrant.

9. Applicant is in contact with California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) and will provide a copy of communications to the Planning Department to be incorporated into the SDR comments and the Mitigated Negative Declaration (MDN).

10. Applicant will register any security alarms with the California City Police Department.

11. Applicant will construct on-site lighting to face downward.

12. Applicant will immediately notify the City's Planning Department, and provide them with a copy of, any change to applicant's lease of the land underlying the project, including any renewal, amendment, modification or termination, of the lease.

13. Applicant to provide a copy of the lease with the details on the restoration of the site at the termination of the lease agreement.

14. The applicant and property owner agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of a conditional use permit (CUP), including but not limited to the approval of any of the CEQA documents. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City's approval of this project or of any CEQA documents related thereto, the applicant agrees to defend the City (at the City's request, and with counsel chosen by the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of California City, its elected officials, appointed officials, its officers, employees and authorized agents. The "applicant" includes the business owner/operator.

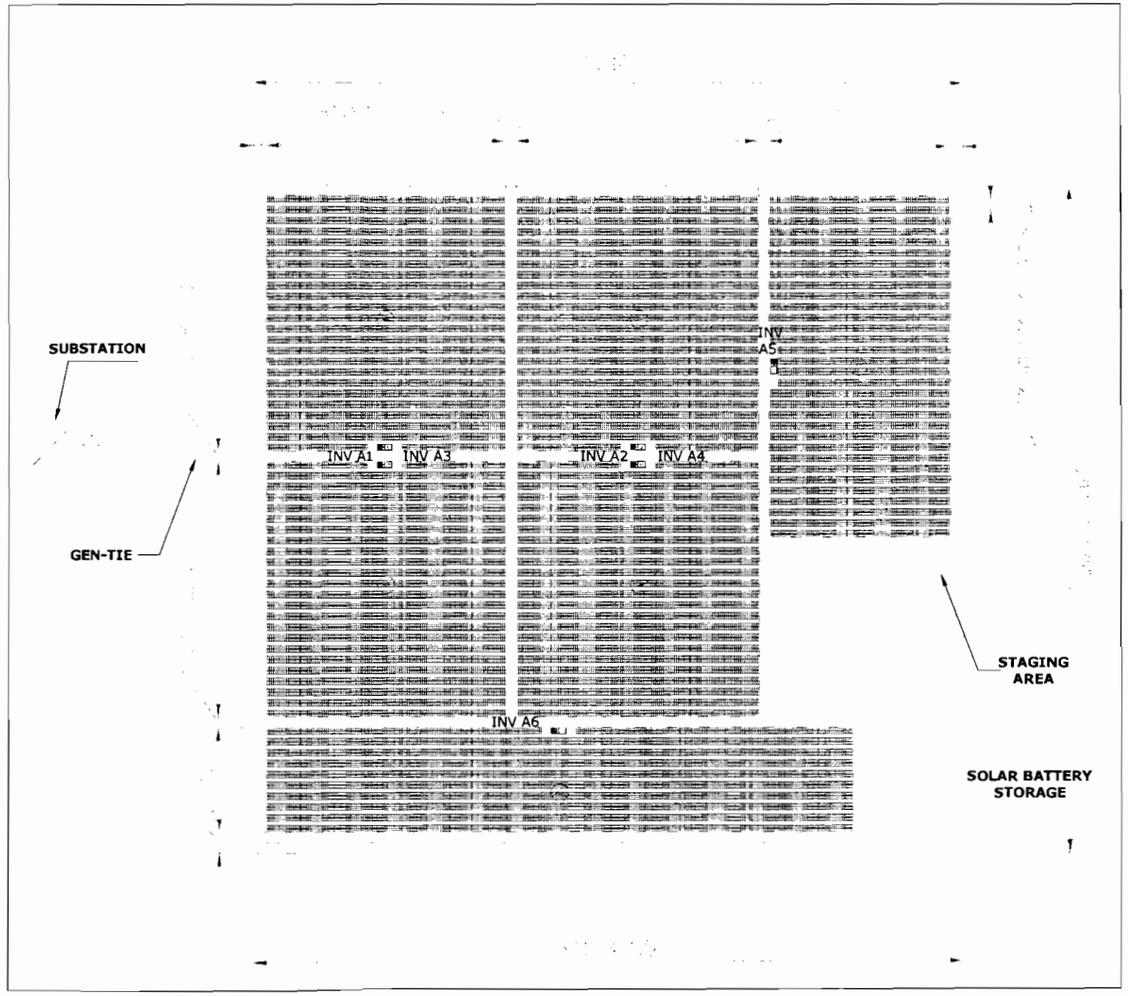
15. The SDR 14-16 Initial Review of Checklist and Application was not signed pending these revisions. In lieu of rescheduling the SDR meeting, please provide the City's Planning Department with the following: **a) Sign the SDR 14-16 Initial Review of Checklist and Application, scan it or fax it back to Ronna at (760) 373-7529. Under Notes: it will read See Attached SDR 14-16 Revision Letter dated 11/19/14. b) Submit a revised site plan showing the relocation of the battery storage or be prepared to install another fire hydrant, per Fire Chief Armstrong. c) Provide CDFW's communications or agreements. d) Provide restoration of the site language added to the lease agreement. e) Provide payment of CUP fees of $750.00 plus $20.00 per lot for a total of $770.00. These fees can be made payable by check to the City of California City or can be paid by credit card, using your VISA, Master Card or Discover. Call Ronna at (760) 373-7141 with your credit card information to process payment of fees for the CUP. You will receive a separate invoice for the actual costs for filing public hearing notices, photocopying and postage.**

Thank you for your cooperation in this matter and should you need further assistance, please do not hesitate to call me at (760) 373-7170.

Sincerely,

William T. Weil, Jr.
City Manager/Planning Director

cc: City Staff: Public Works Director Craig Platt, Director of Public Works, Fire Chief Jeff Armstrong, Police Chief Eric Hurtado, Building Official Joe Barragan, Planning Technician Ronna Greene
Andy Atiyeh, A2 Consulting, LLC



Project Legend

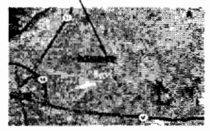
Symbol	Name	Description	Notes
A1 A2 A3 A4	1.5 MWAC BLOCK	2MWDC, 6,680 PV CSI 305W CS6X-305P 2 SMA INV 750CP-US (1000V)	25 DEG. FIXED TILT
A5	1.5 MWAC BLOCK	2MWDC, 6,680 PV CSI 305W CS6X-305P 2 SMA INV 750CP-US (1000V)	25 DEG. FIXED TILT
A6	1.5 MWAC BLOCK	2MWDC, 6,760 PV CSI 305W CS6X-305P 2 SMA INV 750CP-US (1000V)	25 DEG. FIXED TILT
B	Staging Area	Dedicated areas to lay down construction materials	Approx 400' X 200'
C	Substation	Cal City Substation	
D	AccessaGates	20' Access Gateway into Project Site	2 x 10' swinging gate per entrance
E	Interconn Locations	Tentative location of SCE Interconnection concrete pad, TBD based on SCE guideline. All wiring underground from Substation	3' thick concrete pad with electrical boxes & transformer per SCE specifications
F	Perimeter Fence	6' high chainlink fence with barbed security wire on top	6' high surrounding project site as shown
G	Easement	Easement TBD	
H	Access Path	Access paths or small vehicles and foot traffic	10'W
I	Property Line		

SUMMARY:

6 FIXED TILT ARRAY BLOCKS, STRING SIZE 20
EACH ARRAY HAS 40 MODULES OF CANADIAN SOLAR 305W
IN TOTAL 40,160 PV MODULES
12.25 MW DC
EACH BLOCK HAS 2 SMA INVERTERS OF SUNNY 750CP-US WITH A TRANSFORMER OF 1.5MVA
9MW AC IN TOTAL

SEAL

PROJECT LOCATION



FACILITY LOCATION:
LONGITUDE/LATITUDE .....

SITE MAP

PALLICON CORPORATION
3463 ASHTON CT
PALO ALTO, CA 94306

NO	DESCRIPTIONS	DATE	BY
01	1ST LAYOUT	11-23-14	WL

BOLTHOUSE SOLAR & BATTERY STORAGE SITE PLAN

LAYOUT

PROJECT

DATE	SCALE
11-23-14	
PROJECT NO	SIZE / DWG NAME
	24"x36"

SHEET A2.0

ACONSULTING

December 4, 2014

Ms. Lisa Gymer
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno CA 93710

Subject: Proposed Mitigations for Bolthouse Solar Project in California City, CA

Dear Ms. Gymer,

Per our recent discussion, we are presenting proposed mitigation measures for the Bolthouse Solar Project located in California City, CA for California Department of Fish and Wildlife review (Department).

A. Project Description:

The Bolthouse Solar Project (Project) is a proposed photovoltaic (PV) solar power generation and energy storage facility on 40 acres. The project will produce a total of up to 10 megawatts (MW) of clean solar power and will provide up to 10 MW of battery storage capacity to the grid. The Point of Interconnection (POI) will be to an existing Southern California Edison (SCE) distribution system known as the Cal City Substation, which abuts the western edge of the site.

.

B. Project Location:

The project is located in the southwest quarter of the southwest quarter of Section 13, T32S, R37E, MDB&M (Lat.35.1422/Lon.-117.9656), on APN 302-260-12 in California City, north of Mendiburu Road between Hacienda Boulevard and 93 Street.

Field surveys (Surveys) were conducted in Spring 2014 to obtain an understanding of biological concerns that may occur on the Project Site or that may be affected by Project activities, both during construction and operation. Survey methods used are described in the Biological Resources Technical Report (Report) prepared by Alice E. Karl, Ph.D. in October 2014 (Karl 2014).

The surveys adhered to standardized protocols for all relevant species for which there are protocols, as well as to biologically sound approaches for the remaining species and taxa. Survey methods for each taxon or taxa group are described in the Report. As described in the

Report, the methods presented were approved by CDFW and FWS in Spring 2014, with very minor exceptions, for a much larger (951 acres) proposed PV solar site seven miles north of the Project, also surveyed in Spring 2014. The results of these field surveys were be used to evaluate potential Project impacts to special-status biological resources, and derive the recommendations contained herein to mitigate for, avoid, and minimize such potential impacts.

C. Project Setting:

The Project Site abuts or is adjacent to residential development on two sides and has been substantially affected by anthropogenic activities associated with this suburb. The Project's Environmental and Regulatory Settings are more fully described in the Report.

D. Survey Findings:

Several wildlife species, including desert tortoise, Mohave ground squirrel, desert kit fox, Swainson's hawk, burrowing owl, and several other species protected under the California Fish and Game Code and/or the Migratory Bird Treaty Act, have the potential to occur in the area of the Project site. No special-status species, except one migrating Brewer's sparrow, were observed during the Surveys. Although habitat is present for desert tortoises, it is anticipated that few, if any, tortoises would be directly or indirectly affected by this Project and that population effects would be negligible due to 1) the lack of current tortoise use of the site and within buffer surrounding the Project, 2) the Project's proximity to a residential development, and 3) findings from historic surveys in the area that strongly suggest there is no likelihood that tortoise populations in the Project vicinity would be affected by development of the Project, and that the Project is not a corridor for tortoises (Karl 2014). Swainson's hawks may migrate through the area, but would not nest as the Project is located well outside the species' normal nesting range and there is no nesting habitat on or adjacent to the Project Site.

Trapping for Mohave ground squirrel was not conducted; however, the Project Site does not host a key forage species for this mammal. Moreover, as can be seen from Phil Leitner's 2013 MGS Camera Study (Leitner 2013), the site is not located within any Mohave ground squirrel core areas or known population areas as described in the study. The site is located on the edge of the metropolitan area in which a "Not Detected" record was reported in the 2013 MGS Camera Study.

The potential for other non-listed, special-status species is discussed in the Report (Karl 2014).

E. Recommended Mitigations:

The recommendations below aim to provide appropriate avoidance, minimization, and mitigation measures to reduce any potential biological impacts. The mitigations would apply to activities associated with construction, operations and maintenance, and decommissioning. The mitigation measures proposed are for all species with the potential to occur on the Project site or in its immediate vicinity, such as desert tortoise, desert kit fox, Mohave ground squirrel, and burrowing owl.

1. Pre-Construction Surveys

    a. Conducting pre-construction surveys by a qualified biologist for all potential species within two weeks prior to commencement of construction activities. The surveys will cover:

        i. **Listed Plant Species:** The spring Survey conducted on the Project did not produce observations of sensitive plant species. The preconstruction survey will assess the potential Project-related impacts to threatened and endangered (T&E) species, or other sensitive plant species, pursuant to the California Endangered Species Act (CESA). A qualified botanist shall conduct pre-construction plant surveys in the spring prior to starting ground-disturbing activities. If a listed plant species is found, the Project proponent shall consult with the Department to discuss the potential for take under CESA or avoidance and minimization measures, respectively. If a non-listed, but special-status plant species is found, it shall be protected in place with a no-disturbance buffer of at least 50 feet. If maintaining the buffer is not feasible, the Project proponent shall submit a plant relocation plant to the Department for review and written approval prior to starting Project-related activities.

        ii. **Desert Kit Fox:** A qualified biologist shall conduct pre-construction surveys to determine the presence of desert kit fox or its dens on the site. Surveys shall be conducted by walking transects to achieve 100 percent coverage of the Project site and a 500-foot buffer. If no potential desert kit fox dens are present, no further mitigation is required. If presence of kit fox or its dens is found, active dens shall be protected with a 500-foot buffer during the pupping season (January 1 through August 31) and a 100-foot buffer during the non-pupping season. If the 100-foot buffer cannot be maintained, active dens may be excavated during the non-pupping season if a desert kit fox exclusion plan is submitted to the Department for review and written approval prior to starting Project-related activities.

iii. Nesting Birds: If construction is scheduled to commence during the non-nesting season, no preconstruction surveys for nesting birds are needed. If construction activities occur during the breeding season (February 1 to August 31), then no more than 10 days prior to work commencing; including staging, clearing, grubbing, decommissioning, etc., preconstruction surveys will be conducted for active bird nests by a qualified wildlife biologist on the Project site and in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected by the Project. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests should be continuously monitored for the first 24 hours prior to any construction related activities to establish a behavioral baseline. Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of the Project. If behavioral changes are observed, the work causing that change shall cease and the Department shall be consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, 500 feet around the nests of unlisted raptors, and 0.5 mile around the nests of listed bird species shall be implemented until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so. Any variance from these buffers shall be supported by a qualified wildlife biologist and the Department shall be notified at least 5 days in advance of implementation of a no disturbance buffer variance.

iv. Desert Tortoise: A qualified biologist shall conduct pre-construction surveys to determine presence of desert tortoise following the Pre-Project Field Survey Protocol outlined in the United States Fish and Wildlife Service's (USFWS) 2010 *Preparing for any Action that may Occur within the Range of the Mojave Desert Tortoise (Gopherus agassizii)*. If a desert tortoise or its sign is detected, all work shall not commence until the USFWS and the Department is consulted, incidental take permits are obtained or avoidance measures implemented, and written approval to proceed from the Department is obtained.

v. **Mohave Ground Squirrel (MGS):** A qualified biologist shall conduct pre-construction surveys for MGS by walking transects to obtain 100 percent visual coverage of the Project site and a 50-foot buffer from the Project site. If any burrows are known or suspected to be used by MGS, they shall be mapped and avoided by at least 50 feet. The 50-foot buffer shall be demarcated on the ground using flagging or other highly visible material and maintained until construction activities have ended. A qualified biologist shall conduct additional surveys for MGS or their burrows prior to conducting any ground disturbing operation and maintenance or decommissioning activities. If the 50-foot buffers cannot be maintained, the Project proponent shall consult with the Department to apply for and obtain an Incidental Take Permit (ITP).

2. Training

   a. The Project proponent will develop and implement an employee training program. The training shall be provided to all personnel working on the project sites during construction, operation and maintenance, and decommissioning activities. Training materials and briefings shall cover the biological resources that may be found at the project site and surrounding area, the laws and regulations that protect those resources, the consequences of non-compliance with these laws and regulations, and a contact person in the event that protected biological resources are discovered on the site.

   b. The employee training shall be given to all personnel prior to starting work at the Project site. Refresher training shall be given once per year.

3. Avoidance and Minimization

   a. The Project proponent shall clearly delineate construction limits on the ground.

   b. The Project shall be designed to avoid impacts to the jurisdictional Waters within the project site: The following avoidance/minimization measures shall be observed:

      i. A 25 foot avoidance buffer shall be clearly delineated and observed. No construction activities will occur within that buffer.

      ii. Any material/spoils from project activities shall be located at least 150 feet away from jurisdictional areas or sensitive habitat and protected from storm water runoff using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.

iii. Staging or storage areas Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 150 feet from the top of washes.

iv. Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned and any contaminated materials properly disposed of. For all spills the project foreman or designated environmental representative shall be notified.

c. All vehicles and equipment and the ground underneath such shall be inspected for sensitive species prior to use.

d. Whenever driving, transporting, or operating equipment. Driving speeds shall not exceed 20 miles per hour on existing or approved non-public access roads.

e. Open trenches and other excavations shall be covered when not being actively worked on. All trenches and excavations shall be inspected at the beginning, middle, and end of each day, including non-work days. Covered tranches and excavations shall also be inspected as species can dig under covers and become entrapped. If wildlife is found, a qualified biologist shall immediately remove the animal and place it at least 300 feet from the work area. If the animal is injured, the qualified biologist shall immediately take it to a pre-identified veterinarian or wildlife rehabilitation center. The Project proponent shall notify the Department within 24 hours of finding/removing an animal in any trench, hole, or other excavation.

f. All solar mount poles, fencing poles, or other hollow vertical structures will be capped immediately after installation to prevent bird entrapment and death.

g. All construction personnel shall watch for desert tortoises within the construction area. If at any time during construction activity a desert tortoise is detected on-site, all work within an appropriate buffer as determined by the monitoring biologist shall be halted and the Department and USFWS will be contacted to determine the best actions for avoiding adverse effects.

h. If Mohave ground squirrel is found on-site during pre-construction surveys or during project construction, construction activities shall cease so as to avoid the potential for take. Consultation with the Department shall then be initiated to determine the best actions for avoiding adverse effects.

i. No active or potential dens for Desert Kit Fox were found on the Project site. However since they are known to occur in the area, all fencing (perimeter,

substation, etc.) will be raised five to seven inches above ground level and knuckled under to allow desert kit fox movement into and out of the Project site.

j. No construction work will occur at the site between dusk and dawn.

k. Trash and food will be properly disposed of in closed containers and regularly removed from the site so as to discourage ravens and other scavengers.

We feel that the above recommended measures will reduce any potential biological impacts by the project. Please provide any feedback at your earliest convenience.

Sincerely,

Andy Atiyeh, MS, JD
A2 Consulting, LLC

Cc: City of California City

References:

Karl, A.E. 2014. Bolthouse Solar Project, Kern County, CA: Biological Resources Technical Report. Davis, CA.

Leitner, P. 2013. Mohave Ground Squirrel Camera Study 2013: Report to California Department of Fish and Wildlife. Endangered Species Recovery Program, California State University, Stanislaus.

PIONEER
GREEN ENERGY

December 2, 2014

Ronna Greene, California City Planning
21000 Hacienda Blvd
California City, CA 93505

CC: Andy Atiyeh, A2 Consulting

Re: Restoration Language in the Bolthouse Solar I, LLC Lease and Easement Agreement

Dear Ronna,

Pursuant to the Planning Department's Conditions of Approval Memo dated November 19, 2014, I am copying below "restoration" language, as requested, that is included in the Lease and Easement Agreement between **Gregory M. Sheehan and Virginia M. Sheehan**, a married couple, as Owner, and **Bolthouse Solar I, LLC**, as Tenant, dated January 1, 2014, regarding which that certain Memorandum of Lease and Easement Agreement was executed between the same parties and recorded on March 4, 2014 in the Official Records of Kern County at Doc # 0214024346.

> Section 6.6 Restoration. Subject to the rights of Lenders upon termination of this Agreement as provided herein, and subject to the rights of Easement holders as provided in Article 4, on or before the date that is twelve (12) months after the expiration or earlier termination of this Agreement, Tenant shall (i) remove from the Property any part of the Project owned, installed or constructed by Tenant thereon except for roads unless, if requested in writing by Owner, remove all road materials from roads constructed by Tenant and plow such roads at least one time for restoration to agricultural purposes, (ii) fill in and compact all trenches or other borings or excavations made by Tenant on the Property (excepting borrow pits and quarries), and (iii) leave the surface of the Property free from debris; however, Tenant shall only be required to remove any part of the Project located beneath the surface of the land (such as, without limitation, footings and foundations) to a depth of twenty-four (24) inches below the surface of the land. Nothing contained in this Section shall be construed as precluding Tenant from taking any of the foregoing actions at any time during the Term.

Please do not hesitate to contact me by email (patrick@pioneergreen.com) or phone (713.962.2933) should you have any questions.

Best regards,

Patrick Buckley
Development Manager
Pioneer Green Energy

City of California City
21000 Hacienda Blvd
California City CA 9350 (760) 373-8661

Receipt No: 1.058142 Dec 15, 2014

Cup 15-01 PGE,Bolthouse Solar Project

Permits/Fees	
Maps/Public	770.00
10-3415	
Total:	770.00
Credit Card	
Check No: MC	770.00
Payor:	
Cup 15-01 PGE,Bolthouse Solar Project	
Total Applied:	770.00
Change Tendered:	.00

12/15/2014 04:28PM

PROJECT DESCRIPTION

Bolthouse Solar I, LLC

Bolthouse Solar I & II Project

September 12, 2014

Submitted to:

City of California City

Planning Department

21000 Hacienda Boulevard
California City, CA 93505-2293

Prepared by:

PIONEER
GREEN ENERGY
Pioneer Green Energy, LLC
1802 Lavaca Street, Suite 200
Austin, Texas 78701

ACONSULTING
A² Consulting, LLC
30 Galeana, Suite 100
Foothill Ranch, CA 92610

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Exhibit Name	Description
Exhibit A	Site Plan
Exhibit B	Landowner Authorizations

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List of Photos

1 Project Applicant, Name, and Location

1.1 Project Applicant

Pioneer Green Energy, LLC ("PGE") is an independent renewable energy development company whose team has helped develop successful renewable energy projects for leading energy companies around the United States, including two (2) 20 MW solar projects in Kern County. PGE is assembling high-quality clean energy projects in key markets around the country. Their proposed projects will help meet the growing demand for clean, competitively priced electricity, reduce dependence on foreign energy sources, and cut greenhouse gas emissions. Kern County is a key market for PGE because of the quality of the solar resource, the high demand for electricity, the robust transmission system, and the support in the community for solar power.

The project companies are Bolthouse Solar I, LLC and Bolthouse Solar II, LLC – wholly owned subsidies of PGE. Bolthouse Solar I, LLC has entered into a long-term lease with the landowners of the property. The landowner lessors have provided letters authorizing Bolthouse Solar I, LLC to represent them in all matters related to acquiring any permits or approvals necessary for development of the subject projects on their respective properties (Exhibit B).

1.2 Project Names

The names of the proposed projects are as follows: Bolthouse Solar I (hereafter referred to as the "Bolthouse Solar I Project" or "Bolthouse I" in this Project Description), and Bolthouse Solar II (hereafter referred to as the "Bolthouse Solar II Project" or "Bolthouse II" in this Project Description) (collectively, referred to as "Projects").

1.3 Location

Proposed Project Location

Figure 1 shows the regional location of the Projects. Figure 2 shows the detailed location and boundaries of the project parcel. The project site is located in California City, California, approximately eight (8) miles East of Highway 14 and 8.5 miles North of Highway 58.

The 40-acre site is in the southwest quarter of the southwest quarter of Section 13 of Township 32 South, Range 37 East of the Mount Diablo Meridian. The site comprises approximately 40 acres bordered by vacant, previously disturbed and fallow lands to the north, east, and west, and a residential tract to the south. Applicant has entered into a long-term lease for Assessor Parcel Number (APN) 302-260-12. Photographs 1–8 depict various views from the project site.

The 33 kilovolt ("kV") "Cal City" Substation ("Substation") will serve as the Point of Interconnection ("POI") and abuts the western edge of site. The Projects will inject power at 33 kV into the Substation.

2 Purpose of Request

2.1 Proposed Facilities

This request for a Conditional Use Permit ("CUP") is to allow the development of two photovoltaic ("PV") solar energy generation facilities, and a grid-scale battery storage facility on the project site.

The proposed PV facilities will employ PV panels that absorb sunlight and produce electricity directly without the use of heat transfer fluid or cooling water. The facilities will operate year-round, producing electric power whenever the sun is shining. When fully developed, the Bolthouse I will produce up to 5 megawatts ("MW") of clean solar power and the Bolthouse II will produce up to 5 MW of clean solar power, and up to 10 MW of battery storage capacity to the grid. The Projects are likely to be developed in project phases. Each PV project phase will have the capacity to generate up to 5 MW of solar power, each located on approximately 19 acres of leased land. The storage project will be developed as a separate, independent facility during the second phase and will be capable of storing up to 10 MW of clean energy. Construction of the facilities would likely occur in phases over a one to two-year period, with the first phase construction beginning no later than December of 2015.

The generation facilities will not need any additional distribution facilities, but will connect to Southern California Edison's ("SCE")'s distribution system at the existing Substation, which may need minor upgrades to accommodate the projects. The projects will be sized to avoid major upgrades to the Substation.

Project Will Produce Clean Solar Power

Solar power is a 100% renewable energy source that is clean, quiet, and produces no greenhouse gas or other air emissions, and requires no fuel. Solar power decreases dependence on fossil fuels and reduces the need for construction of fossil-fueled power plants. Because solar energy is produced when demand for electricity is at its highest (during daylight hours), it helps to meet peak demand. When fully developed, the solar facilities will produce up to 10MW combined of clean solar power, which would supply the energy needs of over 3,000 California residences.

Project Will Provide Grid-Scale Storage Capability

The grid-scale storage project will help strengthen the local electric distribution system by providing the ability to store up to 10 MW of excess electricity generation in the area during off-peak periods and providing power to the grid when demand for power is high, thus stabilizing grid stability during demand spikes and power supply surpluses. The energy storage project will also contribute to increasing the reliability of the State's electrical grid and will optimize the integration of the solar power generated from Bolthouse I and Bolthouse II and other intermittent renewable resources into the electric grid, especially solar and wind.

Project Helps Achieve California's Goals

California's Senate Bill 1078 ("SB 1078"), California's Renewable Portfolio Standard ("RPS") Program, mandates each investor-owned utility to deliver 20% of its electricity from renewable energy sources by 2010. California has established a further goal of reaching a 33% RPS by 2020.

California's Assembly Bill 32 ("AB 32"), California's Global Warming Solutions Act of 2006, mandates the reduction of greenhouse gas emissions to 1990 levels by 2020. The proposed facilities will help meet California's growing demand for clean, renewable electricity.

Project Provides Economic Benefit

The proposed project will create jobs and local economic benefits by employing skilled electricians, technicians, construction workers, and laborers, thereby generating business income and property and sales tax revenue for California City and California throughout the life of the facility.

Minimal Water Use

PV panels directly produce electricity without the use of heat transfer fluid or cooling water. Only minimal water will be used for construction and periodic washing of the panels during operations. Similarly, the battery storage units would not require any water for operations.

Offers Best Use of Land Resources

The proposed project area is located on currently vacant and formerly disturbed land with no existing water rights. Ongoing water shortages in Kern County have had impacts on water intensive development. The construction of a solar and storage facility will reduce the need for water supply compared to "traditional" sources of electric generation and other potential uses of the land, such as residential or agricultural.

Choosing a site for mandated renewable energy projects is a challenge because of the limited land available that is appropriate for such use. There is little land that is both suitable for solar development and located in close proximity to transmission interconnection. The proposed project site, however, possesses both of these favorable attributes.

Project Limits Environmental Impact

Due to the location of the site near a housing development, and the previously disturbed nature of the land, there is no occupied native habitat and no endangered species expected to be found on the site. Since there may be records of sensitive species within the project area, the project will undertake the appropriate level of biota surveys before construction, and implement the necessary avoidance and mitigation methods acceptable to the land use and resource agencies. Temporary traffic and air quality impacts may occur during construction, both of which will be mitigated as appropriate. Aesthetics are not anticipated to be a concern to nearby residential land owners, as the facility would have mainly low profile structures.

Ultimately, the project will have an environmental benefit by displacing fossil fuel sources of energy and reducing greenhouse gases.

Offers Educational Opportunities

Periodically, the facilities may be used for educational field trips that can be coordinated with operational activities.

2.2 Site Suitability

The most important criteria for determining the location of a solar energy generation facility include proximity to transmission or distribution facilities suitable for interconnection, land availability, flat terrain, and compatible land uses suitable for the surrounding environment/habitat.

The project site abuts an existing substation owned by Southern California Edison. This previously disturbed site would require minimal grading. Solar and storage development on this site will neither take active farmland out of production nor disturb the home habitat of endangered species. The proponent has agreed with California Department of Fish and Wildlife (CDFW) to mitigate, if necessary, for the disturbance of potential foraging habitat for sensitive species, which may be impacted by the project.

Land rights for both project phases have been acquired with private property owners. Few homes are located in close proximity to the project and Applicant has not identified any schools or places of worship close to the site. The solar generation and storage facility will be a passive use of the land that will not impact surrounding land use activities, and therefore is a compatible use.

Finally, the key to optimal solar energy production is the availability and intensity of solar radiation. The California City area within Kern County is particularly well-suited for solar energy production, boasting more than 275 days per year of sunshine and relatively intense solar radiation.

3 Other Approvals

3.1 Approval Processes

California City's approval of the CUP will be required for each proposed project. A California Environmental Quality Act ("CEQA") analysis will be required. Per discussions with the California City Planning Department, a Mitigated Negative Declaration (MND) will be completed to assess the environmental impacts associated with this approval. California City is the lead agency for the CEQA review process. The City's environmental assessment will cover all areas of the Initial Study. The assessment will be supported by appropriate expert studies and/or evaluations (such as a Biota Study), which will be summarized in resource specific reports. The reports will include areas such as biological impacts for species of concern. An air quality study and a cultural resources study may also be required.

The landowner lessor has provided a letter authorizing PGE to represent them in all matters related to acquiring any permits or approvals necessary for development of the subject projects on their respective properties (Exhibit B).

3.2 Required Permits

The proposed project would conform to applicable federal, state, county, and local laws and regulations. As the proposed project is a PV solar generation and energy storage facility that does not incorporate thermal processes and is under 50 MW, it will not require a permit from the California Energy Commission. The project will be constructed and operated by non-regulated entity and will not require approvals from the California Public Utilities Commission ("CPUC").

The proposed project must comply with the requirements of the federal Endangered Species Act ("ESA"), the California Endangered Species Act ("CESA"), Sections 401, 402, and 404 of the Clean Water Act ("CWA"), Section 106 of the National Historic Preservation Act, and the American Indian Religious Freedom Act ("AIRFA"), as applicable.

A Waste Discharge ID (WDID) Permit may be needed for the Project as it will be disturbing more than one (1) acre of land by grading.

4 Facilities Description

4.1 Overview

The proposed solar energy generation facilities will employ PV panels that absorb sunlight and directly produce electricity. The facility will consist of (1) a solar field of PV panels mounted on steel structures, (2) an electrical collection system that aggregates the output from the PV panels and converts the electricity from direct current ("DC") to alternating current ("AC"), (3) civil infrastructure including driveways and fencing, (4) a generator-tie ("gen-tie") power line that will be approximately 100 feet long to connect to the Substation, and (5) communication equipment mounted on a lattice structure.

The proposed energy storage facility will occupy up to 30,000 square feet and consist of a series of several battery storage units that are no taller than 15 feet in height, arranged side-by-side, and connected to a number of inverters.

Figure 5 depicts the site in the context of surrounding land uses, and Exhibit A provides site plan details. The facilities would not have a control room nor have staff onsite—remote monitoring will be incorporated into the process control system to allow unmanned operations. The facilities will not include an Operations and Maintenance ("O&M") building.

4.2 Solar Field

The solar field will consist of PV panels mounted on steel support structures. The supports will be either fixed or pivoting, depending on the specific PV panel manufacturer(s) selected. In either case, the assembled PV panels will have a typical height of about six (6) feet and a maximum height of 15 feet. The PV panels will be typically arranged in rows with center-to-center spacing of 12 to 22 feet. In the case of fixed supports, the rows will be aligned east to west, and the PV panels will be tilted to the south. In the case of pivoting supports, the rows will be aligned north to south and the PV panels will pivot, tracking the sun, east to west.

4.3 Electrical Collection System

The PV panels will be organized into electrical groups referred to as "blocks." Each block will encompass a minimum of five (5) acres of PV panels (each with the capacity to produce up to 1 MW of electricity) and will include one inverter and step-up transformer. An alternative design would have each block encompassing a minimum of 10 acres of PV panels (with a combined capacity to produce up to 2 MW) and including two inverters and one step-up transformer. The size of each block will depend on the capacity of the inverters, which in turn will depend on the type and size of inverters available for purchase and other such electrical design considerations.

Conductors, hung under the PV panels and extending underground, will feed DC to AC inverters and associated switchgear and transformers. Each one or two inverters will have an associated transformer to step up the electricity voltage from the inverter output level (e.g. 480 kV) to 33 kV. From each such

transformer, electricity will be conveyed via an underground circuit to 33 kV switchgear housed in a modular collection enclosure that gathers the output of up to 10 MW of PV panels. Each collection enclosure is anticipated to be an 8-foot-by-60-foot pre-fabricated structure up to 12 feet in height which cannot be occupied. From each collection enclosure, electricity will be conveyed via an underground 33 kV collector circuit to the Substation.

4.4 Energy Storage System

The energy storage system will be made up of series of storage systems arranged side-by-side in containerized enclosures typically mounted on concrete foundations and will include one or more control systems. The footprint of the battery storage system will be up to 30,000 square feet. The storage system will connect to the electrical collection system via a number of inverters.

4.5 Substations

There will be no substation on site.

4.6 Driveways

Driveways on the site will consist of a construction access driveway and a series of internal driveways. No public or private easements would be necessary as the site access point will be from Mendiburu Road. No significant impact to traffic is expected to result from the project.

4.7 Drainage

Applicant will seek to minimize new earth work or grading to the extent possible in order to preserve the natural drainage patterns across the site. No drainage structures are proposed which would alter existing and natural drainage patterns. There is a known drainage area that touches the northwest corner of the site. Offsite flows of flood events, such as the base flood (100-year flood), will flow across the site. There will be a small increase in the percentage of the site covered with impervious surface (i.e., the modular enclosures). The rows of PV panels will canopy narrow strips of the site, but will only disturb the land underneath only in areas where the posts pushed into the ground to support the PV array structures are located. The ground surface under the PV panels, and between the rows, will remain open. On-site runoff will have full access to the ground surface and will infiltrate at a rate similar to existing conditions. The PV panels will not introduce pollutants to storm water. Runoff will enter and exit the site as it does under existing conditions. It is expected that, after construction of the facility and execution of the drainage plan, drainage on the site will actually be improved from its current state.

4.8 Grading Design

Grading on the site will generally follow the existing topography. The intent of the project's grading design will be to minimize the amount of earthwork performed. It is currently anticipated that it will not be necessary to import or export fill due to the relatively flat topography of the site.

4.9 Landscaping

At this time no landscaping is proposed on site.

4.10 Fencing

The site perimeter is expected to be enclosed by a 6 to 8-foot chain link fence topped with a 1 to 2-foot barbed wire section. The fence posts will be at 10-foot intervals. As part of the mitigation and minimization measures that may be implemented for wildlife in the project areas, the fencing may be required to be raised to allow wildlife to travel across the site, and to avoid habitat fragmentation or impact on connectivity corridors. Each site's access points will be gated and have swinging or rolling chain link gates.

4.11 Point of Interconnection

There is an existing Southern California Edison substation – the "Cal City" Substation - which abuts the western edge of the site. A project gen-tie power line will extend from the project site approximately 100 feet to the POI at the Substation.

5 Construction

5.1 Project Phases and Schedule

The Projects are likely to be developed in phases for each project. Each solar project will likely have a generating capacity of up to 5 MW, for a total generating capacity of not more than 10 MWs, each MW occupying from three (3) to eight (8) acres depending on equipment efficiency and design. The storage project will occupy approximately 30,000 square feet. Initial construction will consist of establishing site infrastructure, including the main access driveway, perimeter driveway and fencing. Minor grading or other work may be performed in the interior of the site including construction of the main access driveway and conducting activities associated with construction of the site infrastructure items listed in Section 5. In order to provide for balanced cut-and-fill quantities, such activities may include placement and compaction of excess materials in low elevation areas of the site interior. The typical site infrastructure is shown in Exhibit A.

Construction of the proposed solar energy generation and storage facilities will occur in phases based on electric delivery dates required in Power Purchase Agreements with the utility, as well as on interconnection grid study schedules, site conditions, and optimization of the construction schedule. During the construction of each phase, equipment will be placed in service at the completion of each block of PV panels or storage units. This is necessary because PV panels become energized as soon as they are exposed to sunlight, and a delay in power flow may result in panel damage.

The project schedule is also dependent on the permitting and improvements at the Substation POI.

Construction of site infrastructure is planned to begin in 2015 and will proceed concurrently with the installation of each project phase. It is anticipated that construction of each phase can be completed in six (6) months.

5.2 Construction Workforce and Workspace

Construction of each facility is expected to require a peak workforce of craft, supervisory, and management workers. Work will be completed based on one shift per day during daylight hours. Site conditions and construction progress could require up to two shifts, but all work will be done during daylight hours. Parking, temporary office trailers, and equipment lay down areas will be located within the site perimeters.

5.3 Site Preparation and Grading Activities

The site is comprised of vacant, disturbed land. Currently, low scrub vegetation and weeds are present on the site. This vegetation must be removed as no vegetation is permissible among the PV panels in order to avoid shading and brush fire hazard. Grading for site infrastructure, such as main access and perimeter driveways, fencing, and substation, will be done along the perimeters of the site. Construction

of each phase will include (1) grading of the phase areas and (2) construction of the interior lateral driveways.

Gravel or aggregate base material will be imported to the site for construction of the driveways. The driveways will have a 6-inch aggregate base course ("ABC"). Water will be used during grading to control dust and to achieve proper moisture content in the soil being graded.

5.4 Equipment Installation

Construction of each phase will include (1) installation of the electrical collection system for that phase, (2) installation of PV panel supports or battery foundations, and (3) installation of PV panels and/or battery storage units.

6 Operations

6.1 Operations Workforce

Operations of the facilities will be managed, monitored, and controlled by local staff and/or through remote monitoring. When fully developed, maintenance of the facility is expected to require additional full-time or part-time employee(s). A control system will also allow unmanned operations of the facilities.

6.2 Facility Maintenance

PV and battery storage facilities contain virtually no moving parts and have limited maintenance requirements. Maintenance activities will consist of checking electrical performance parameters for remote monitoring; performing periodic inspections and maintenance of transformers and inverters; responding to any problems detected by remote monitoring; conducting weed abatement and dust control activities; cleaning PV panels; and maintaining driveways. Water will be used for cleaning PV panels and controlling dust, but no water will be used by the facilities for the production of electricity. Water may also be used at the O&M building (if applicable) to service facilities and general daily activities. Water is expected to be brought in from the local water district or from neighboring properties through contractual arrangements. No major equipment is anticipated to be required for maintenance of the facility except as necessary for periodic re-grading or replacement of driveways.

6.3 Site Security

Site security will be provided by monitoring cameras, electronic security systems, and by periodically driving along the site's perimeter security fences. Applicant does not predict a need for increased routine patrol by county law enforcement, though occasional responses by law enforcement are anticipated in the event security systems are triggered. There will not be perimeter lighting, although there may be some down lighting onsite.

6.4 Weed Management and Dust Control

The installation of the solar energy generation facilities, energy storage facilities and site infrastructure will result in the complete removal of vegetation in certain areas. Areas where PV panels, other electrical equipment, and site infrastructure are placed will be maintained free of vegetation. Common herbicides approved by the California Environmental Protection Agency and the California Department of Fish and Wildlife will be used, if necessary to control weed growth. Dust control is critical to the successful operations of a solar energy generation facility because dust diminishes the power output potential of most PV panels, increases their cleaning requirements, and reduces the reliability of electrical equipment. The primary measures to control dust will be (1) spreading gravel on the soil surface using water and possibly dust palliative, (2) avoiding disturbance of the established crust by either vehicles or foot traffic, (3) limiting the speed of maintenance vehicles, and (4) using water during periodic re-grading or replacement of driveways. The specifics of effective dust control parameters (e.g.,

type and quantity of dust palliative, if used, appropriate maximum vehicle speed, etc.) will be determined by empirical testing performed on the site prior to installing PV panels and energy storage facilities.

7 Health and Safety

7.1 Health and Safety Program

Safety issues are primarily related to project construction. Examples of factors that could be hazardous include:

- Movement of construction vehicles, equipment, and materials has the potential to injure workers
- Open excavations present a fall risk
- Working with electric materials could expose workers to electrocution

These safety issues are most relevant to construction personnel who will be working in close proximity to construction equipment and who would be potentially exposed to such hazards on a daily basis. Risk of construction-related injury will be minimized through careful safety planning, regular safety training, and use of appropriate safety equipment.

Operations of a solar PV facility is safer than other forms of energy production because the electricity generation process does not involve combustible fuel, high temperature, or high pressure. In addition, the only potentially toxic or hazardous material that will be present onsite is the mineral oil contained in the transformers, and each transformer will be provided with full secondary containment.

Finally, no hazardous chemicals will be stored at the site.

7.2 Fire Protection

Appropriate fire protection systems will be implemented for the PV facilities. The fire danger for such facilities is low because PV panels are constructed of glass and their support structures are constructed of steel, neither of which is subject to combustion. All oil-filled transformers will be located outdoors with proper setback from adjacent structures. Areas where PV panels, other electrical equipment, and site infrastructure are placed will be maintained free of vegetation. Site access driveways will serve for emergency egress and fire department access.

Appropriate fire protection systems will be implemented for the PV storage facility as well. The lithium ion batteries can overheat, so fire hazards from the batteries are possible. To minimize this risk, lithium ion batteries are equipped with a monitoring unit to avoid over-charging and over-discharging. Usually a voltage balance circuit is also installed to monitor the voltage level of each individual cell and prevent voltage deviations among them.

7.3 Emergency Management Plans

Prior to project construction, the applicant will prepare an emergency management plan, if necessary, to address construction of the project based on discussion with jurisdictional emergency response providers.

Operations of the facilities will be managed by the on-site staff. Prior to project operations, the applicant will create an emergency management plan to address operations of the project, as deemed necessary by jurisdictional emergency response providers.

8 Land Use and Community Resources

8.1 Land Use on the Project Site and Surroundings

Current Land Use
The project site consists of vacant, fallow land. Historical research indicates no change in the site's current use over the past 20 years.

Surrounding Land Use
Existing land uses surrounding the project site consist primarily of vacant, fallow land to the north, west, and east of the site. A Southern California Edison substation is located on the parcel west of the site. There is a residential community south of the site, across Mendinburu Road.

Site Access
Primary construction access to the project site will be directly from Mindenburu Road to the south. Mendinburu Road ends at Hacienda Boulevard to the west. Hacienda Boulevard is a dirt road north of Mendinburu Road. California City does not plan to improve Hacienda north of Mendinburu or extend Mendinburu west of Hacienda.

8.2 Traffic Circulation

It is expected that there will be negligible impacts on the existing area roadway system.

Construction of the proposed facilities in each phase, combined, will last up to 12 months. It is estimated to require materials deliveries that will add several semi trucks per day to incoming streets for each project. Construction is expected to require a construction workforce, which will add several vehicles per day for each construction phase to streets surrounding the site. Minimal traffic will be generated by the mobilization and de-mobilization of equipment used for earthwork including scrapers, graders, water wagons, and compactors. Likewise, minimal traffic will be generated by the mobilization and de-mobilization of other equipment used in constructing the facility, including truck-mounted post drivers, skid loaders, forklifts, etc.

Typical operations of the proposed facilities is estimated to a minimal number of vehicles per week to surrounding streets. It is expected that the majority of trips will consist of employee and equipment maintenance trips.

8.3 Community Facilities and Services

Construction of the facilities is expected to draw upon the existing labor pool in California City and surrounding communities in Kern County and will not significantly affect area facilities and services.

Operations of the facilities will be managed, monitored, and controlled by either on-site staff. When fully developed, maintenance of the facilities is expected to require additional full-time or part-time

employees, which will not affect community facilities and services. There is a slight potential for occasional sheriff responses to security alerts.

8.4 Public Utilities and Services

The project site is not currently served by electric and telephone utilities. No new or additional public services are anticipated as a result of the projects. Telecommunications and basic electrical services that may need to be provided for the site will be negotiated with the contracting utility.

Basic utilities are present in the project vicinity of each site. Potable water in the project vicinity is generally supplied via private wells or purchase from California City. No sewer services exist at the project site, although sewer services do exist in the vicinity. Portable toilets will likely be utilized on the site.

The California City Police Department provides police protection to the areas in California City. The California City Fire Department provides fire protection and emergency response services to the City.

9 Environmental Resources

9.1 Noise

Off-site discernible noise during construction will be primarily from heavy equipment used during earthwork. There will be no off-site discernible noise during operations of the facility if fixed axis mounts are used. If tracking mounts are used, there would be brief instances of noise generated during peak daytime hours. These motors noises would be no more than a hum and would last only a few seconds. This should not result in an impact of any significance.

9.2 Air Quality

The projects will not produce any odors. An air quality analysis will be completed for the projects in accordance with the Kern County Assumptions for Solar Projects. The analysis will evaluate construction and operational impacts. During construction, the projects are not expected to exceed the significance thresholds for emissions established by the Eastern Kern County Air Pollution Control District ("EKCAPCD"). Therefore, construction of the project should not conflict with applicable air quality plans. Similarly, operations of the proposed projects would not exceed any established EKCAPCD thresholds; therefore, implementation of the projects would not obstruct implementation of an air quality plan during operations. A Dust Control Plan will be developed. Dust will be controlled during construction as described in Section 5.3, "Site Preparation and Grading Activities," and during operations as described in Section 6.4, "Weed Management and Dust Control."

9.3 Visual Resources

The project areas are not considered a scenic resource, so construction of the project would not degrade the visual quality of the area for travelers on nearby roadways and nearby residents. Moreover,

based on the maximum height of the panels, simple measures can help conceal them from certain vantage points, if deemed necessary. The project will have no adverse effect on existing recreation facilities. There are no existing public trails or parks in the project site vicinities.

PV panels are known to absorb light and not cause glare. The proposed facilities will be located in areas that do not provide recreational opportunities and do not generate an abundance of public attention.

9.4 Water Resources

Water will be used during construction as described in Section 5.3, "Site Preparation and Grading Activities," and during operations as described in Section 6.2, "Facility Maintenance," and Section 6.4, "Weed Management and Dust Control." All water will be trucked in. It is expected that the project construction will require limited amounts of water for activities such as dust control and panel washing. Operations will use less than eight (8) acre-feet/year per each 5 MW solar project. Applicant intends to use water from water districts in the area.

9.5 Biological Resources

The project site is currently located on vacant, fallow and disturbed land that had been farmed in years past. Known habitat for Desert Tortoise ("DT") and Mojave Ground Squirrel ("MGS") exists in the area, though the site is not located within an MGS conservation area. Due to the disturbed nature of the site, and its location near the major roadways of Mendinburu Road and Hacienda Boulevard, no DT or MGS sightings nor suitable habitat are expected to be found.

While no species were found to be present at the site on any local or state databases (e.g. California Natural Diversity Database, etc.), the applicant has informally contacted the California Department of Fish and Wildlife to better understand the best survey, documentation, and mitigation methods while preparing for field surveys. Survey plans and mitigation strategies (such as procuring agency-approved compensation land) have been favorably received. Plant and animal surveys are planned, including protocol DT and Burrowing Owl surveys. A biological report will be prepared for the project site following the surveys. The results of field surveys for special-status plant and animal species, including species listed as "threatened" or "endangered" by either the state or federal government will be compiled in a report, discussed with agencies, and appropriate mitigation measures will be agreed upon as necessary.

The site is within the boundaries of the West Mojave Planning area. The West Mojave Plan is a long-term program designed to conserve federally protected species, state protected species, and/or other species of concern, but has not yet been adopted.

Other than a wash that touches the northwest corner of the project site, and which will be avoided, the project site does not contain any streams or washes. It is unlikely that construction activities on the project site may result in the discharge of sediment load to ephemeral washes around the construction

areas. Early investigation shows that wetlands (as defined by Section 404 of the Clean Water Act) are not likely to be present on the project site.

9.6 Cultural Resources

No archeological, paleontological, or historical impacts are anticipated. The project areas have previously been disturbed and used for agricultural purposes. Construction activities will involve relatively shallow excavations and trenching — no more impactful than the previous agricultural activities that had taken place. A records search will be conducted at the Southern San Joaquin Valley Information Center of the California Historical Resources Information System located at the California State University, Bakersfield. Based on the results of this records search a pedestrian archaeological survey of the site may be completed. Otherwise, a desktop evaluation will be done to identify any potential impacts and to formulate avoidance measures, if applicable.

9.7 Geology and Soil Resources

The project site is not located within any known Earthquake Fault Zones. Structures built as part of the proposed projects would be required to be constructed in accordance with the Uniform Building Code ("UBC") and California Building Code ("CBC") and adhere to all modern earthquake standards—including those relating to soil characteristics. Shallow groundwater is not present in the project area, and thus the potential for liquefaction at the surface of the project site is low. Finally, impacts from seismically induced landslides would not occur because the project area is located on relatively flat topography and is not adjacent to any steep slopes or areas that would otherwise be subject to landslide activity.

As described in Section 5.1 "Project Phases and Schedule," and Section 5.3 "Site Preparation and Grading Activities," construction of the projects will require land to be disturbed by grading in one or more stages. A Storm Water Pollution Prevention Plan ("SWPPP") will be prepared and implemented to address construction activities. Best management practices will be adapted to site conditions and implemented to avoid soil erosion and off-site impacts during construction. Under existing conditions, on-site runoff is generally characterized by shallow and slow flows. More uniform site contours resulting from grading, will promote sheet flows, diminish concentrating flows, and lessen the occurrence of localized ponding and soil saturation.

9.8 Waste and Hazardous Materials Management

The PV panels and inverters produce no waste during operations. However, depending on the type of PV panels selected, the panels may include solid materials that are considered to be hazardous, such as cadmium telluride. To address management of such materials, the applicant's contract with the selected PV panel manufacturer will include a provision requiring the manufacturer to receive and recycle or dispose of any broken or defective PV panels, thus eliminating the risk of pollution to storm water.

A Spill Prevention, Control and Countermeasure ("SPCC") Plan will be prepared for facility operations to address the chemicals contained in the batteries, which is the only aspect of storage facility operations that is subject to the federal requirement for an SPCC plan. Each battery will be provided with full

secondary containment. The preliminary SPCC plan will be updated as necessary to reflect practices employed during project construction and facility operations. The chemicals contained in each battery unit does not normally require replacement, and any such replacement of batteries will be accomplished by transporting the entire battery off site. Disposal of the batteries will be managed in accordance with a contract with the supplier.

Any dust palliative and/or herbicides used will be transported to the site for immediate application and will not be stored on site. The facilities will not present significant potential for introducing pollution to storm water, and the operations of a solar PV facility is typically exempt from storm water discharge permitting based on Standard Industrial Code ("SIC").

All use, storage, transport, and disposal of hazardous materials used in construction or operations of the facilities will be in strict accordance with federal, state, and county laws, ordinances, and regulations. No extremely hazardous materials (i.e., governed under 40 CFR 335 Emergency Notification) are anticipated to be produced, used, stored, transported, or disposed of as a result of the projects. During construction and operations of the projects, Material Safety Data Sheets ("MSDS") for all applicable materials present on site will be made readily available to on-site personnel.

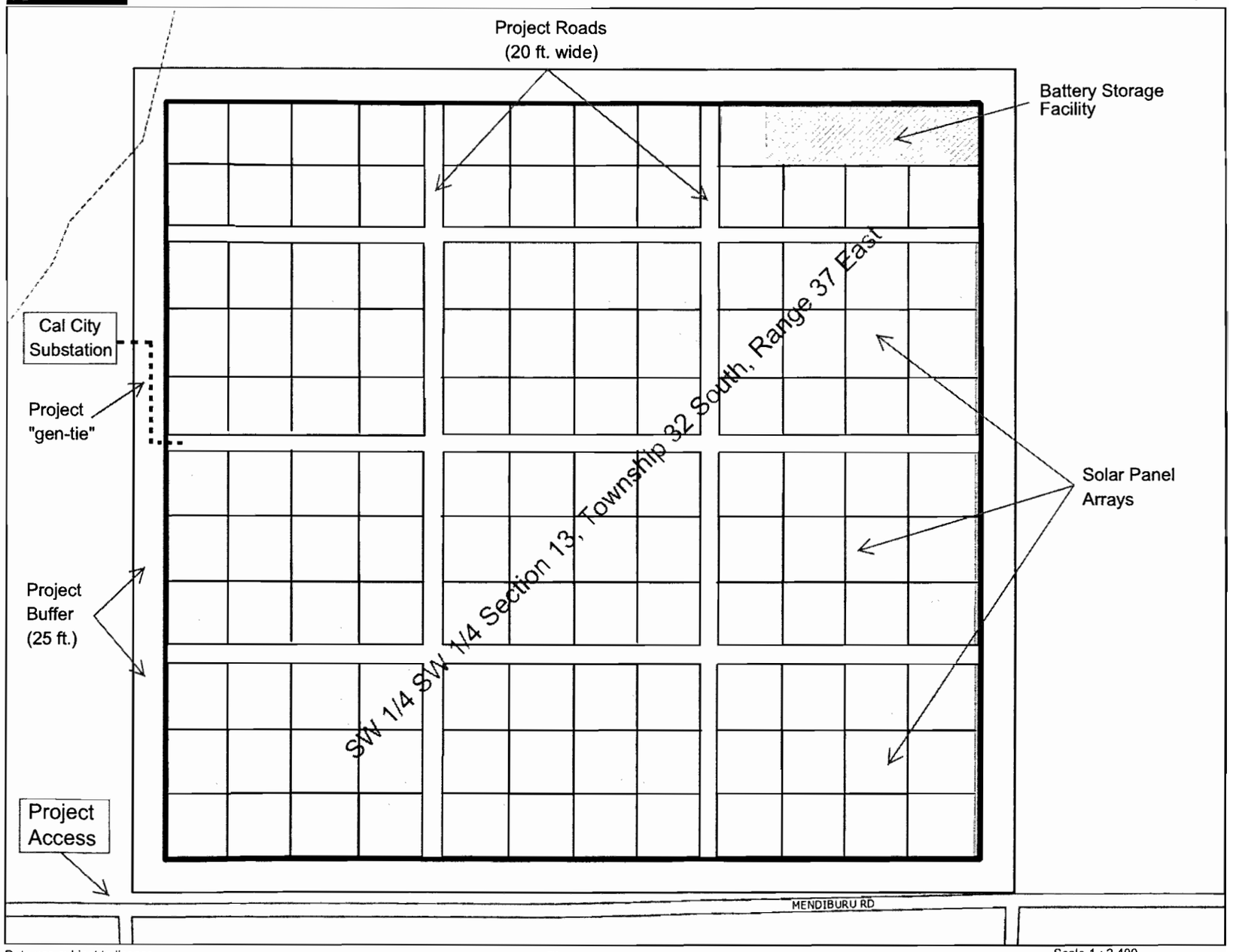
During construction of the facilities, non-hazardous construction debris will be generated. Such debris will be disposed of in local landfills. During construction and operations of the facility, sanitary waste will be managed using portable toilets located at reasonably accessible on-site locations.

Exhibit 1

Site Plan

Bolthouse Solar & Battery Storage Conceptual Site Plan

DeLORME XMap® 7



Data use subject to license.

© DeLorme. XMap® 7.

www.delorme.com

TN

MN (12.5°E)

Scale 1 : 2,400

1" = 200.0 ft Data Zoom 16-4

Exhibit 2

Landowner Authorizations

James W. Fitch, Assessor – Recorder
Kern County Official Records
Recorded at the request of
Public

RODRIGUD
3/04/2014
2:00 PM

DOC#: 0214024346

Stat Types: 1 Pages: 5

Fees	27.00
Taxes	0.00
Others	0.00
PAID	$27.00

After recording return to:

Attn: Lease & Title Department
Bolthouse Solar I, LLC
1802 Lavaca Street, Suite 200
Austin, Texas 78701

MEMORANDUM OF LEASE AND EASEMENT AGREEMENT

THE STATE OF CALIFORNIA §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF KERN §

THIS MEMORANDUM OF LEASE AND EASEMENT AGREEMENT (this "**Memorandum**"), is made and entered into as of Jan 27, 2014, by Gregory M. Sheehan and Virginia M. Sheehan, a married couple (collectively "**Owner**"), and Bolthouse Solar I, LLC, a Delaware limited liability company ("**Tenant**"), with regards to the following:

1. Solar Agreement. Owner and Tenant did enter into that certain Lease and Easement Agreement of even date herewith (the "**Agreement**"), which affects the real property located in Kern County, State of California, as more particularly described in Exhibit A attached hereto (the "**Property**"). Capitalized terms used and not defined herein have the meaning given the same in the Agreement.

2. Grant of Rights. The Agreement grants Tenant: (a) the exclusive right to study, develop and use the Property for converting solar energy into electrical energy and collecting and transmitting the electrical energy so converted; (b) the exclusive right to access, relocate and maintain "Solarpower Facilities," as that term is defined in the Agreement, which are located on the Property; (c) an exclusive easement to capture, use and convert the unobstructed solar resources over and across the Property; (d) a non-exclusive easement for any audio, visual, view, light, shadow, noise, vibration, air turbulence, wake, electromagnetic or other effect of any kind attributable to the development of the Property for solar energy purposes and operation of the Solarpower Facilities; (e) the right to subjacent and lateral support for the Solarpower Facilities; (f) the right of ingress to and egress from the Solarpower Facilities on, under, over and across the Property by means of (A) roads and lanes thereon if existing or (B) such routes, roads and lanes as Tenant may construct from time to time as provided in the Agreement; (g) the exclusive right to erect, construct, reconstruct, replace, relocate, remove, operate, maintain and use, on, under, over and across the Property, in connection with Solarpower Facilities overhead and underground electric transmission and communication system lines and facilities; and (h) the right to undertake any other activities, as permitted in the Agreement, necessary to accomplish the purposes of the Agreement.

3. Term. The Agreement shall be for an initial Development Term of up to seven (7) years, and if the terms and conditions of the Agreement are met, for a Production Term of thirty (30) years; provided, however, that if the Production Term plus the Development Term (collectively, the "Lease Term") shall be thirty five (35) years or greater, the Production Term shall be reduced by the number of months required to cause the Lease Term to be thirty four and a half (34 ½) years in aggregate. The easements granted pursuant to the Agreement are for a term coterminous with the Agreement.

4. Rights of Mortgagees. Pursuant to the Agreement, any Mortgagee of Tenant or Tenant's assignees has certain rights regarding notice and right to cure any default of Tenant under the Agreement, as well as other rights as set forth in the Agreement.

5. Assignment. Tenant's rights and obligations under the Agreement shall be assignable without Owner's prior written consent provided that such assignment is in furtherance of the provisions of the development of the Solarpower Facilities contemplated by the Agreement.

6. Non-Interference and Setbacks. To the extent permitted by law Owner has waived any and all setbacks and setback requirements, whether imposed by applicable law or by any person or entity, including any setback requirements described in the zoning ordinance of Kern County or in any governmental entitlement or permit heretofore or hereafter issued to Tenant, such sublessee or such Affiliate. Owner has agreed not to engage in any activity that might interfere with Tenant's efforts to develop, construct or operate the Solarpower Facilities or cause a decrease in the output or efficiency of any Solarpower Facilities without the prior written consent of Tenant.

7. Subordination. The Agreement provides that from and after its effective date, any right, title or interest created by Owner in favor of or granted to any third party shall be subject to (i) the Agreement and all of Tenant's rights, title and interests created thereby, (ii) any lien of any lender of Tenant's then in existence on the leasehold estate created by the Agreement, and (iii) Tenant's right to create a lien in favor of any lender of Tenant's.

8. Agreement Controls. This Memorandum does not supersede, modify, amend or otherwise change the terms, conditions or covenants of the Agreement, and Owner and Tenant executed and are recording this Memorandum solely for the purpose of providing constructive notice of the Agreement and Tenant's rights thereunder. The terms, conditions and covenants of the Agreement are incorporated in this Memorandum by reference as though fully set forth herein.

9. No Ownership. Owner shall have no ownership, lien, security or other interest in any Solarpower Facilities installed on the Property, or except for as otherwise provided in the Agreement, any profits derived therefrom, and Tenant may remove any or all Solarpower Facilities at any time.

10. Counterparts. This Memorandum may be executed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties have executed this Memorandum to be effective as of the date first written above.

[signatures appear on following page]

OWNER:

Gregory M. Sheehan and Virginia M. Sheehan, a married couple

By: Gregory M Sheehan

Printed Name: Gregory M. Sheehan, Individually

By: Gregory M Sheehan

Printed Name: Gregory M. Sheehan, as attorney-in-fact on behalf of Virginia M. Sheehan, pursuant to that certain Power of Attorney dated October 7, 2008, recorded October 22, 2007 as Document Number 0207212258 in the Kern County Official Records

STATE OF CALIFORNIA §

COUNTY OF KERN §

On this 10th day of JANUARY 2014 before me, L.M. Fischer-Mazie, personally appeared Gregory M. Sheehan, individually and as attorney-in-fact on behalf of Virginia M. Sheehan, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his individual capacity and in his authorized capacity as attorney-in-fact for Virginia M. Sheehan, and that by his signature on the instrument the person, and the person upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Notary Public in and for the State of CALIFORNIA

My Commission Expires:

10-4-2015

L. M. FISCHER-MAZIE
NOTARY PUBLIC - CALIFORNIA
COMMISSION # 1955269
KERN COUNTY
My Comm. Exp. October 4, 2015

TENANT:

Bolthouse Solar I, LLC

By: _____

Printed Name: CYRUS TASHAKKORI

Title: Vice-President

STATE OF Texas §

COUNTY OF Travis §

This instrument was acknowledged before me by Cyrus Tashakkori Vice President of Bolthouse Solar I, LLC, a Delaware limited liability company, on behalf of said company, and known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal this 21st day of Jan, 2014.

_____
Notary Public in and for the State of Texas

My Commission Expires:

Feb 10, 2015

DELILAH MONTEMAYOR
Notary Public, State of Texas
My Commission Expires
February 10, 2015

EXHIBIT "A" to

MEMORANDUM OF LEASE AND EASEMENT AGREEMENT

Description of the Property

The following tract of land located in Kern County, California.

THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 13 IN TOWNSHIP 32S, RANGE 37E, MOUNT DIABLO BASE AND MERIDIAN, IN CALIFORNIA CITY, CALIFORNIA.

For a total of approximately 40 acres, more or less.

August 21, 2014

Ronna Greene, California City Planning
21000 Hacienda Blvd
California City, CA 93505
760-373-8661

Re: Sheehan & Bolthouse Solar I, LLC

Dear Ms. Greene:

Gregory & Virginia Sheehan ("Sheehans") are the owners of parcel (APN) 302-260-12, which is located in in California City. The Sheehans have recently entered into an agreement with Bolthouse Solar I, LLC for the potential development of solar photovoltaic generation and battery storage facilities on this parcel of land. In furtherance of that agreement, the Sheehans hereby authorizes Bolthouse Solar I, LLC and their representatives to pursue a Conditional Use Permit and all other permits and approvals as may be necessary toward the development of a solar photovoltaic facility and/or battery storage facility and all associated infrastructure on property owned by the Sheehans. Bolthouse Solar I, LLC and their representatives are authorized to represent the Sheehans in this pursuit.

Until further notice, the primary contact person for this project with Bolthouse Solar I, LLC is Patrick Buckley, Development Manager with Pioneer Green Energy, LLC. Mr. Buckley can be reached by e-mail at patrick@pioncergreen.com and/or by cellular telephone (713) 962-2933, and we have copied his offices with this letter of authorization. The primary contact for the Sheehans is Gregory Sheehan, who can be reached by e-mail at gsheehan43@hotmail.com or by telephone (650) 245-8090.

If something other or further is required or should be filed by the Sheehans with your offices in order to facilitate the work contemplated by Bolthouse Solar I, LLC, we would appreciate you bringing that to our attention. Should this matter be better directed to someone else within the City Planning Department, we would appreciate you forwarding it to that person or persons. Thank you in advance and best regards.

Sincerely,

Gregory & Virginia Sheehan
By: Gregory Sheehan & Virginia Sheehan

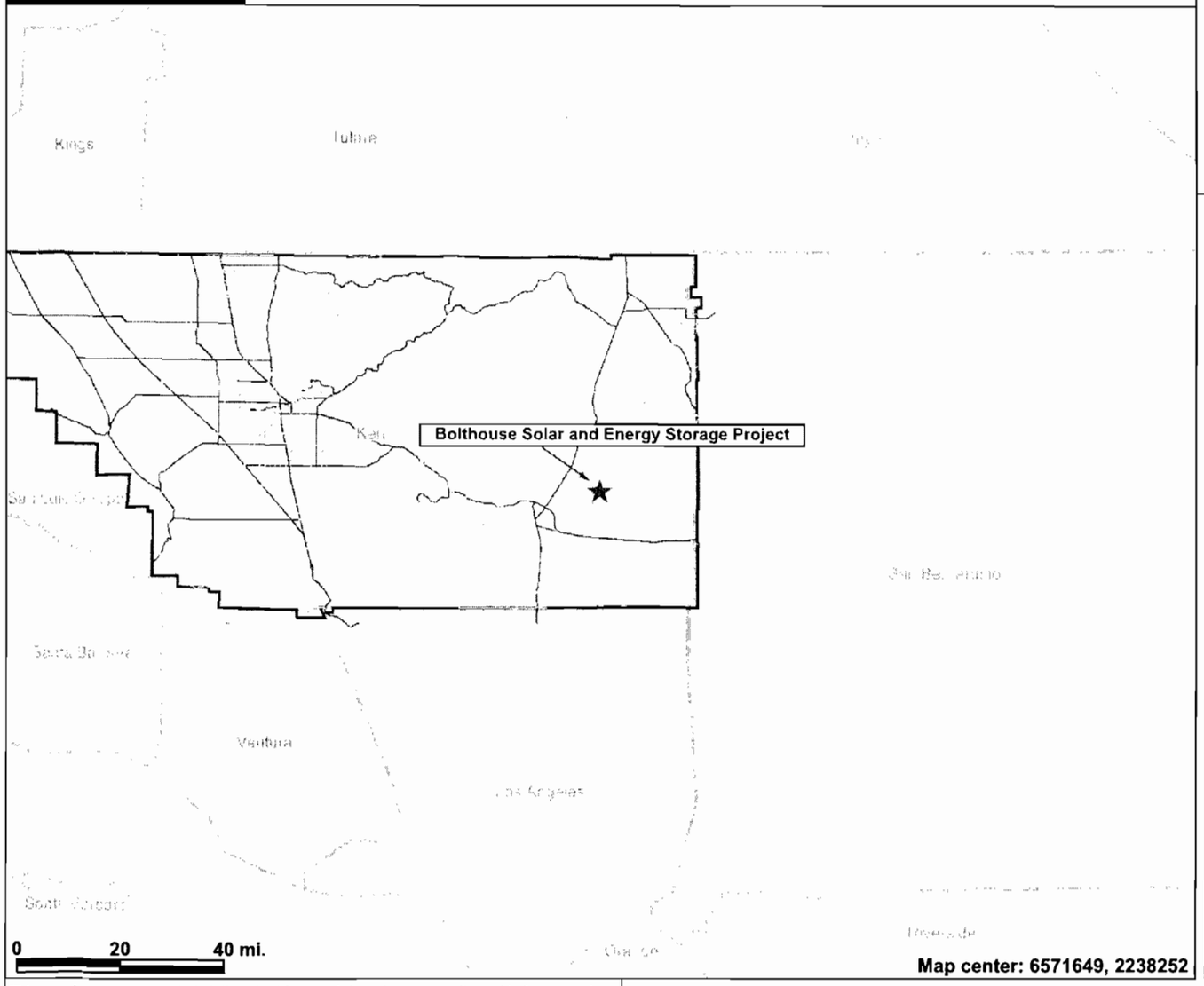
Cc: Patrick Buckley
Bolthouse Solar I, LLC

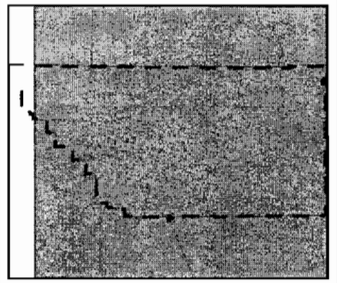
Figure 1

Regional Location

Kern County
Online Mapping System

Bolthouse Solar and Energy Storage Project Location





Legend

Hwy Symbols

- California State
- Interstate
- US Route

Roads

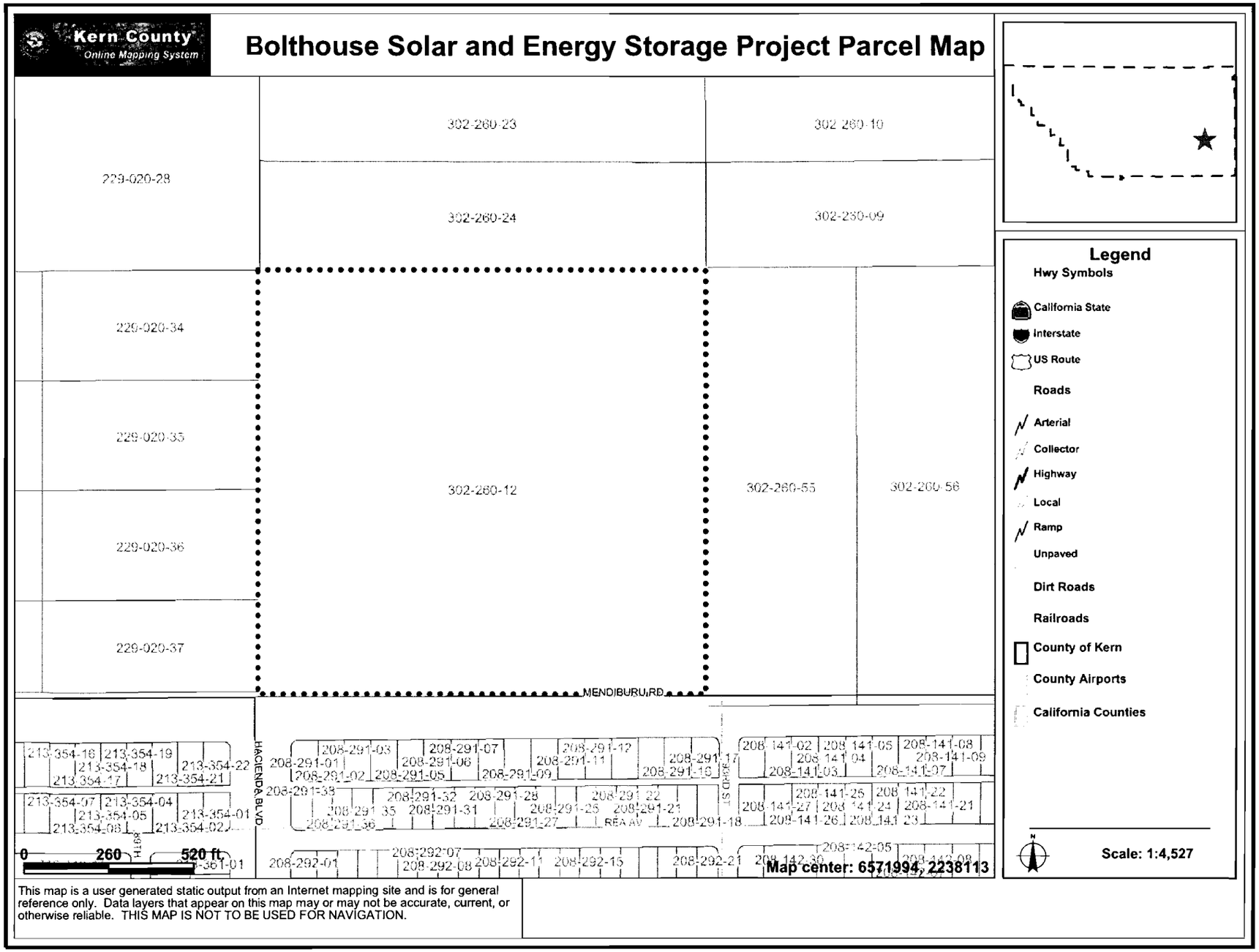
- Arterial
- Highway
- Ramp
- County of Kern
- California Counties

Scale: 1:1,833,922

Map center: 6571649, 2238252

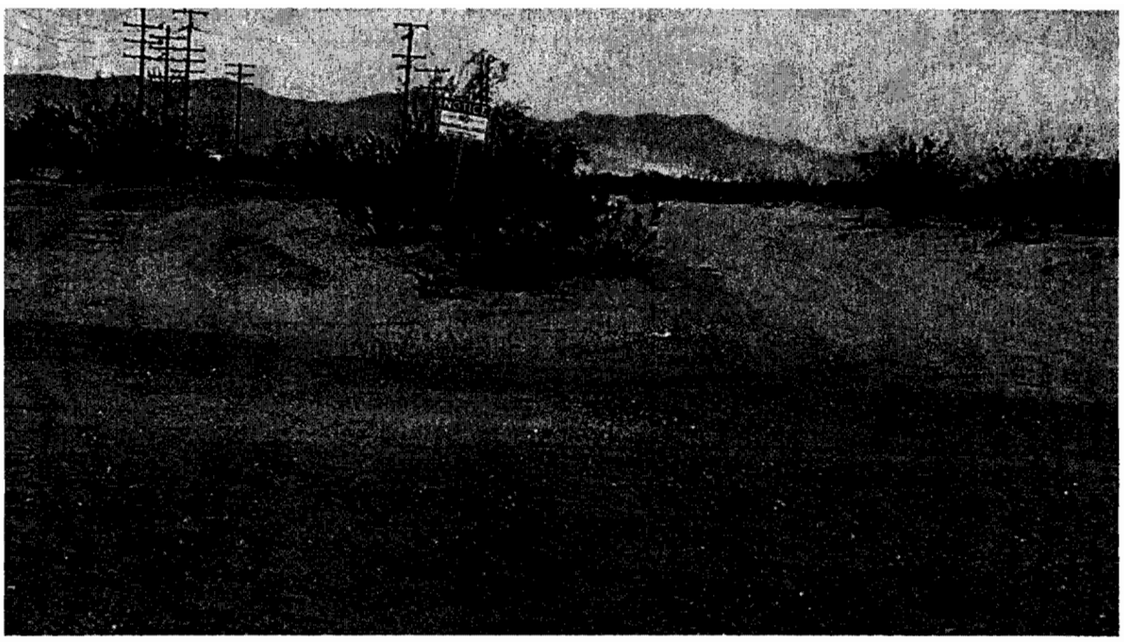
Figure 2

Parcel Map

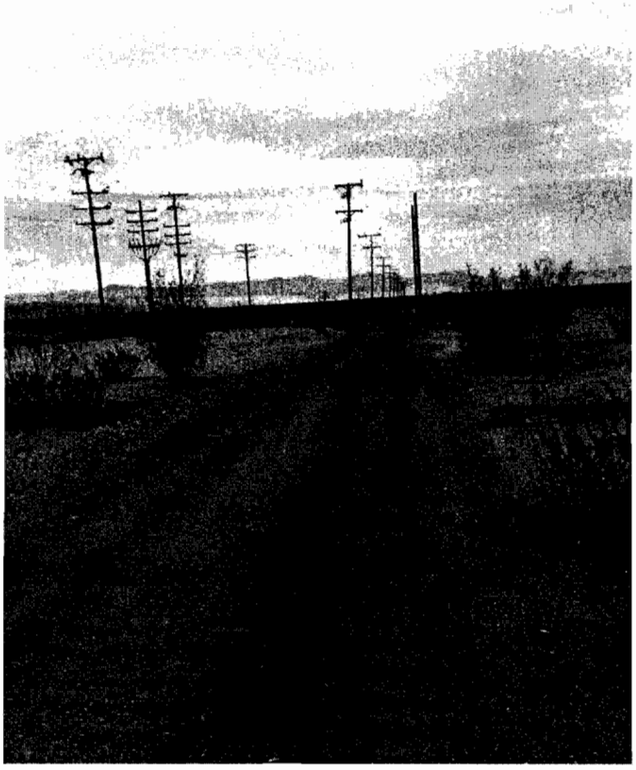


This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

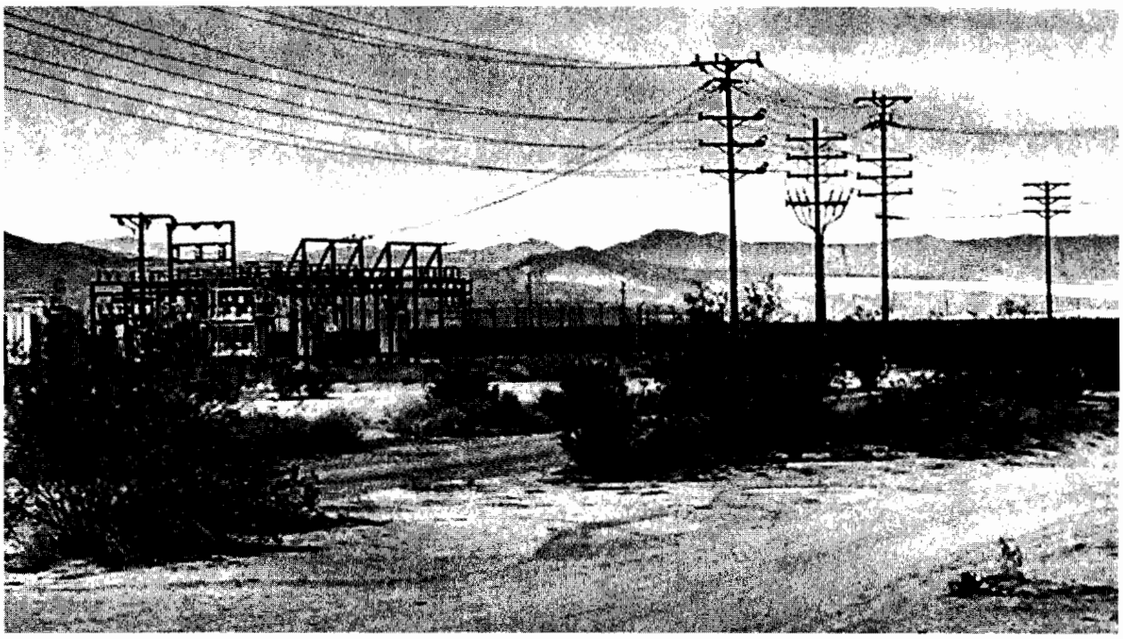
Site Photographs



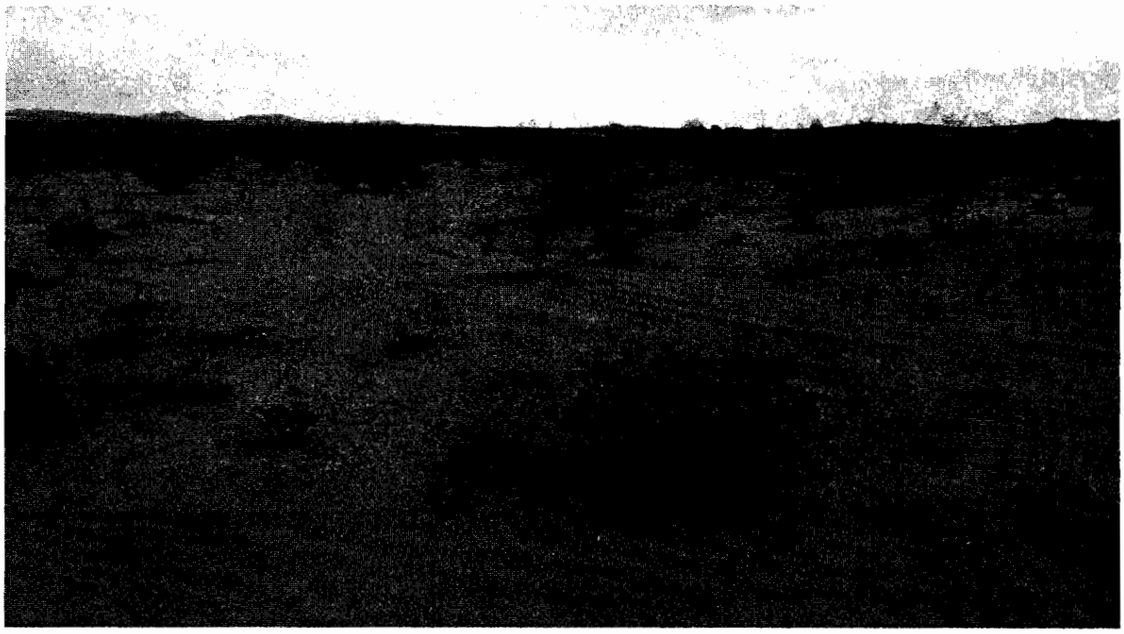
Photograph 1 - Entrance to Site from Southwest Corner - Intersection of Mendinburu Rd. and Hacienda Blvd.



Photograph 2 - View from Southwest Corner of Site - Hacienda Blvd. along Western Edge of Site



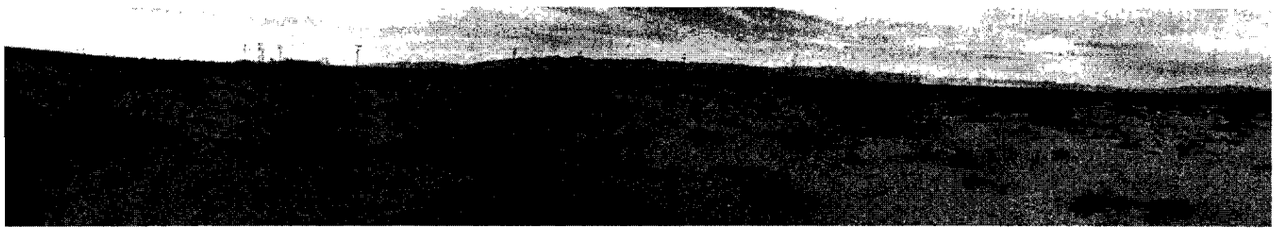
Photograph 3 - Substation Touching Western Edge of Site



Photograph 4 - View of Site from Western Edge of Site Looking East

Photograph 5 - View from Eastern Edge of Site Looking West

Photograph 6 - View of Site from South Side of Mendinburu Looking North



Photograph 7 - 180 Degree Panorama View from Center of Site Looking North

Photograph 8 - 180 Degree Panorama View from Center of Site Looking South

Hydrant #1 – Across Mendiburu at southwestern corner of solar site, on southeast corner of intersection of Hacienda and Mendiburu

Hydrant #2 – Across Mendiburu at southwestern corner of solar site, on southeast corner of intersection of Hacienda and Mendiburu

Hydrant #3 – On the corner of 93rd St. and Mendiburu, at the SE corner of the intersection, across the street from the SE corner of the site

Bolthouse Solar Projects
Kern County, CA

Biological Resources Technical Report

Prepared By:

Alice E. Karl, Ph.D.
P.O. Box 74006
Davis, CA 95617

Prepared For:

Andy Atiyeh, MS, JD
A2 Consulting, LLC
30 Galeana, Suite 100
Foothill Ranch, CA 92601

October 2014

EXECUTIVE SUMMARY

Bolthouse Solar I, LLC and Bolthouse Solar II, LLC, wholly owned subsidiaries of Pioneer Green Energy, LLC, are proposing to construct and operate a photovoltaic (PV) solar power-generating and grid-scale battery storage facility with a total generating capacity of up to 10-megawatt (MW) alternating current (AC). The two projects, Bolthouse I and Bolthouse II, are collectively called the "Project" for this report. We conducted surveys in Spring 2014 to obtain an understanding of biological concerns that may occur on the Project Site or may be affected by Project activities, both during construction and operation. The results of these field surveys will be used to evaluate, avoid, and minimize potential Project impacts to special-status biological resources.

The Project Site abuts or is adjacent to residential development on two sides and has been substantially affected by anthropogenic activities associated with this suburb. No special-status species, except one migrating Brewer's sparrow, were observed. Although habitat is present for desert tortoises, the lack of current tortoise use of the site and buffer, the Project location, the factors associated with the residential development, and historic surveys in the area strongly suggest that few, if any, tortoises would be directly or indirectly affected by this Project and that population effects would be negligible. Swainson's hawks may migrate through the area, but would not nest. The Project is located well outside the species' normal nesting range and there is no nesting habitat on or adjacent to the Project Site. Trapping for Mohave ground squirrel was not conducted because presence will be assumed; however, the Project Site does not host a key forage species for this mammal. The potential for other non-listed, special-status species is discussed.

No rare plants were observed in the area surveyed in Spring 2014. However, due to the lack of rain, it is inconclusive whether any special-status plant annual or herbaceous species grow in areas that might be disturbed by the Project or would be affected indirectly by Project activities. Only one species protectected by the California Desert Native Plant Act, silver cholla (*Cylindropuntia echinocarpa*), was observed, in very low densities.

Impacts to both washes can be avoided by Project configuration.

This report was prepared with the GIS assistance of Adams Environmental, Inc., San Antonio, Texas.

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APPENDICES

1.0 INTRODUCTION

Bolthouse Solar I, LLC, and Bolthouse Solar II, LLC, wholly owned subsidiaries of Pioneer Green Energy, LLC, are proposing to construct and operate a photovoltaic (PV) solar power-generating and grid-scale battery storage facility with a total generating capacity of up to 10-megawatt (MW) alternating current (AC). The two projects, Bolthouse I and Bolthouse II, are collectively called the "Project" for this report. We conducted surveys in Spring 2014 to obtain an understanding of biological concerns that may occur on the Project Site or may be affected by Project activities, both during construction and operation. The results of these field surveys will be used to evaluate, avoid, and minimize potential Project impacts to special-status biological resources.

1.1 Project Description and Terminology

For the purposes of this document, the following terminology applies:

- "Project refers collectively to the Bolthouse Solar I Project and Bolthouse Solar II Project.
- "Project Site" is the 40 acres that comprises the Project boundary (Figure 1)
- "Survey Area" is the total area that was surveyed in Spring 2014, comprising the Project Site and buffers (Figure 4).

The information on the Project description that follows is from the draft Project description written by the Project applicant (PGE and A^2Consulting 2014). The solar field will consist of PV panels mounted on steel support structures. The supports will be either fixed or pivoting, depending on the specific PV panel manufacturer(s) selected. In either case, the assembled PV panels will have a typical height of about six feet and a maximum height of eight feet. The PV panels will be arranged in rows with center-to-center spacing of 12 to 22 feet. In the case of fixed supports, the rows will be aligned east to west, and the PV panels will be tilted to the south. In the case of pivoting supports, the rows will be aligned north to south and the PV panels will pivot, tracking the sun, east to west.

The PV panels will be organized into electrical groups referred to as "blocks." Each block will encompass a minimum seven acres of PV panels (producing about 1 MW) and will include one inverter and step-up transformer. An alternative design would have each block encompassing a minimum of 10 acres of PV panels (producing about 2 MW) and including two inverters and one step-up transformer. The size of each block will depend upon the capacity of the inverters, which in turn will depend upon the type and size of inverters available for purchase and other such electrical design considerations.

An energy storage system will be made up of series of three storage systems arranged side-by-side in containerized enclosures. The footprint of the battery storage system will be approximately 30,000 square feet. The storage system will connect to the electrical collection system via two 2.5 MW inverters.

Currently, the Project gen-tie power line is anticipated to extend from the project site roughly 100 feet to the Point of Interconnection at the PG&E substation that abuts the western edge of the site.

Site access will be from Mendiburu Road.

Construction activities will include localized grading and vegetation removal. Grading will be minimal due to the site's relatively flat topography and in order to maintain natural hydrology. All vegetation is expected to be removed where permanent structures are not constructed. Gravel or aggregate base material will be imported to the site for construction of the driveways. The driveways will have a 6-inch aggregate base course. The primary measures to control dust will be (1) spreading gravel on the soil surface using water and possibly dust palliative, (2) avoiding disturbance of the established crust by either vehicles or foot traffic, (3) limiting the speed of maintenance vehicles, and (4) using water during periodic re-grading of driveways. The specifics of effective dust control parameters (e.g., type and quantity of dust palliative, if used, appropriate maximum vehicle speed, etc.) will be determined by empirical testing performed on the sites prior to installing PV panels.

PV and battery storage facilities contain virtually no moving parts and have limited maintenance requirements. Maintenance activities will consist of checking electrical performance parameters for remote monitoring; performing periodic inspections and maintenance of transformers and inverters; responding to any problems detected by remote monitoring; conducting weed abatement and dust control activities; cleaning PV panels; and maintaining driveways. Water will be used for cleaning PV panels and controlling dust, but no water will be used by the facilities for the production of electricity. Water is expected to be brought in from the local water district or from neighboring properties through contractual arrangements. No major equipment is anticipated to be required for maintenance of the facility except as necessary for periodic re-grading of driveways.

2.0 PROJECT SETTING

2.1 Project Location

The Project Site encompasses 40 acres and is located within and near the northern edge of the City of California City, in eastern Kern County (Figure 1). Specifically, the site occupies the southwest quarter of the southwest quarter of Section 13 of Township 32 South, Range 37 East, Mount Diablo Meridian.

2.2 Environmental Setting

At roughly 2300 feet in elevation, the Project Site lies at the edge of a broad valley in the far northwestern Mojave Desert, roughly eight miles east of the Sierra Nevada Range. The Project Site is surrounded on two sides by a broad, occupied residential development, abutting the Project Site on the south side and within 0.25 miles on the east side. Many additional roads have been graded in the area north and west of the Project Site for further development. Mediburu Road (paved) borders the southern edge of the Project Site and the city high school lies just to the southwest on Mendiburu. The small substation to which the Project will connect abuts the western border of the Project Site, and a distribution line travels along the road that borders the western edge of the Project Site.

Uses of the site and vicinity are consistent with nearby residential development of a desert suburb. Dogs are commonly walked or roam on the Project Site and vicinity and there are several digs that were obviously dug by dogs pursuing rodents and other subterranean animals. Off-highway-vehicle (OHV) activity and non-motorized bicycle activity is abundant in the area and motorcycle tracks are common on the Project Site. A partially fenced barren area along Mendiburu Road, apparently originally graded for a borrow pit or other construction purpose for the suburb, is maintained by continual OHV and bicycle activity. Dumping occurs throughout the Project vicinity; on the Project Site, it is largely restricted to the northern edge.

Sheep grazing is a historic use of this area, and fresh tracks and excreta of a small herd were evident on the Project Site and buffer areas to the west. Bedding areas were observed on the Project Site and elsewhere in the buffer.

The original vegetation community is largely intact, and comprises an association (i.e., subset) of the Creosote Bush-White Burr Sage (*Larrea tridentata-Ambrosia dumosa*) Shrubland Alliance[1]. Dominant species include creosote bush and white burr sage, with sub-dominant Anderson's boxthorn (*Lycium andersonii*), goldenbush (*Ericameria cooperi*), goldenhead (*Acamptopappus sphaerocephalus*) and patchy cheesebush (*Ambrosia salsola*) and peachthorn (*Lycium cooperi*). Spiny hopsage (*Grayia spinosa*), felt-thorn (*Tetradymia stenolepis*) and cotton-thorn (*T. axillaris*) are occasional. Shrub cover varies from five to nine percent.

Native soils in the Project vicinity are generally soft, loamy sands; scattered fine gravel and decomposed granite are common in the substrates. Natural hydrology is somewhat difficult to ascertain due to the site modifications. Currently, there are two channels that are marginally part of the Project Site, one along the eastern border and one along the west. Both flow north, but were either entirely artificially created or enhanced by runoff from the residential development and the high school. The eastern wash is a series of shallow channels that flow off Mediburu over a 225-foot width, narrowing to a few channels about 1.5 yards deep as it flows north beyond the Project Site. The main channel is mostly outside the Project Site boundary, but narrow sections flow on or very slightly inside the Project Site border, and the outflow from that channel extends about 15 yards into the Project Site. Rubber rabbitbrush (*Ericameria nauseosa*) dominates the channel's shrub layer vegetation.

The wash that crosses the Project Site on the northwestern corner begins as a broad area of runoff from Mendiburu and the high school, flowing in a direct path toward the substation. The substation diverts this runoff around the substation, resulting in several incised channels (about two yards deep) on the north side of the substation and crossing the Project Site corner. Ultimately, the channels converge into one incised channel north of the Project Site. Again, rubber rabbitbrush is the dominant shrub species, although the broad swale extending from Mendiburu is choked with the exotic herbaceous species, black mustard (*Brassica nigra*).

North, west, and in the narrow native vegetation strip east of the Project Site, the habitats and area uses are identical to those on the Project Site. Representative photographs of the Project Site and adjacent areas can be found in Appendix A.

3.0 REGULATORY SETTING

3.1 Federal Laws and Regulations

Endangered Species Act

The Endangered Species Act (ESA) of 1973 (16 United States Code [USC] 1531 *et seq.*; 50 CFR 17.1 *et seq.*) designates and provides for protection of threatened and endangered plant and animal species, and their critical habitat. Section 9 of the ESA prohibits "take" of threatened or endangered species, which includes killing, injuring or harming a listed species or its habitat. Under Section 10 of the ESA, any non-federal party must consult with the United States Fish and Wildlife Service (FWS) regarding a proposed action that may adversely affect listed terrestrial and avian species on private lands. Formal consultation is requested via a biological

[1] Vegetation in this report is described using alliances developed by Sawyer, Keeler-Wolf and Evens (2009) and used by the California Natural Diversity Data Base (California Department of Fish and Game [CDFG] 2010).

assessment, in response to which FWS will issue a biological opinion (BO) that may include an incidental take statement.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918, as amended, prohibits "take" of migratory birds (16 USC 703-712). Under the MBTA it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product. All birds that are native to the United States and belong to a family, group or species covered by at least one of the four migratory bird conventions to which the United States is party are covered under the MBTA. There is currently no permitting framework (i.e., incidental take permits) that allow liability protection for project developers. The administering agency is FWS.

FWS's Division of Migratory Bird Management also maintains a list of Birds of Conservation Concern, which identifies species, subspecies, and populations of migratory and non-migratory birds that may be in need of additional conservation actions. This action was an outcome of a 1988 amendment to the Fish and Wildlife Conservation Act, which mandates the FWS to identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the ESA.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BGEPA) prohibits the take of any bald or golden eagle, alive or dead, including any part, nest, or egg. "Take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. "Disturb" means to agitate or bother an eagle to a degree that causes, or is likely to cause (1) injury to an eagle; (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior; or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. The administering agency is FWS.

Clean Water Act

Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) regulates all discharge of dredged and fill material into waters of the United States, including wetlands. The U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (USEPA) share responsibility for administering and enforcing Section 404, including jurisdictional delineations, permitting decisions, and development of policy and guidance. Waters of the United States (WUS) and wetlands are those defined by the USACE/USEPA in CWA regulations (33 CFR 328.3). There are no WUS on the Project Site.

3.2 State Laws and Regulations

California Environmental Quality Act

CEQA requires review of any project that is undertaken, funded, or permitted by a state or local governmental agency. Typically, the state or local agency with overall project permitting authority takes the lead for CEQA compliance. The lead agency has the discretion to consider any non-listed species a *defacto* listed species by the statement that "a species not included in any listing in subsection (c) shall nevertheless be considered to be rare or endangered if the species can be shown to meet the criteria in subsection (b)" (CEQA Guidelines §15380, Subsection d). If significant project effects were identified, the lead agency would have the option of requiring mitigation for effects through changes in the project or deciding that

overriding considerations make mitigation infeasible (CEQA Sec. 21002). The City of California City is the lead state agency for CEQA review for the Project.

California Endangered Species Act

The California Endangered Species Act of 1984 (CESA, CDFG Code Sections 2050 *et seq.*) protects California's rare, threatened, and endangered species. CDFG Code Sections 1900 *et seq.* designate rare, threatened and endangered plants under the Native Plant Protection Act of 1977. The California Department of Fish and Wildlife (CDFW) is the administering agency. If species listed by CESA could be harmed or killed during construction or operation of a project, CDFW can either choose to find the federal BO consistent with state law (a 2080.1 Consistency Determination) or choose to require a separate state "take" permit (a 2081 permit).

Title 14, California Code of Regulations, Sections 670.2 and 670.5

Under this code, animals are designated as threatened or endangered in California. California species of special concern is a category conferred by CDFW on those species that are indicators of regional habitat changes or are considered potential future protected species. These species do not have any special legal status, but this designation is used by CDFW as a management tool for consideration when land use decisions are made.

Native Plant Protection Act; CDFG Code Sections 1900 et seq.

The Native Plant Protection Act (NPPA) includes measures to preserve, protect, and enhance rare and endangered native plant species. Definitions for "rare and endangered" are different from those contained in CESA, although CESA-listed threatened and endangered species are included in the list of species protected under the NPPA.

California Department of Fish and Game (CDFG, now CDFW) Code Sections 3503 and 3503.5

These codes state that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, including birds of prey, or take, possess, or destroy birds of prey, except as otherwise provided by this code or any regulation made pursuant thereto. (Note: CDFG is now CDFW, but the code has temporarily retained the original name.)

CDFG Code Sections 3511, 4700, 5050, and 5515

These state laws classify and prohibit the take of "fully protected" birds, mammal, amphibian/reptile, and fish species in California.

CDFG Code Section 3513

This code prohibits any take or possession of birds that are designated by the MBTA as migratory non-game birds, except as allowed by federal rules and regulations promulgated pursuant to the MBTA.

CDFG Code Section 4150

This state law makes it unlawful to take or possess any non-game mammal or parts thereof except as provided in the CDFG Code or in accordance with regulations adopted by the commission. However, Title 14 Section 460 specifically prohibits the taking of desert kit foxes.

CDFW Streambed Alteration Agreement; CDFG Code Sections 1600-1616

Waters of the State of California are subject to the jurisdiction of the CDFW. The CDFW monitors streambeds to conserve, protect, and manage California's fish, wildlife, and native plant resources. CDFG Code Section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW before beginning an activity that will substantially divert, obstruct, or change the natural flow of the bed, channel, or bank (including associated riparian vegetation) of a river, stream, or lake; or use material from a streambed prior to commencement of the activity. If CDFW determines that the action could have an adverse affect on existing fish and wildlife resources, a Lake or Streambed Alteration (LSA) Agreement is required.

California Desert Native Plants Act

Pursuant to the California Food and Agriculture Code §§ 80001-80006, the California Desert Native Plants Act (CDNPA) allows the harvest of certain species of non-listed native plants under permits issued by the County Agricultural Commissioner or Sheriff. The purpose of the CDNPA is to prevent the unlawful harvesting of native desert trees and cacti, either for wood, landscaping, or other purposes. Regulated species include: all native desert trees and cacti, ocotillo (*Fouquieria splendens*), yucca (*Yucca* spp.) and fan palms (*Washingtonia filifera*). Where feasible and practicable, individual plants can be salvaged and used for the Project revegetation program or salvaged by an approved nursery, landscaper, or other group to indirectly reduce unlawful harvesting elsewhere.

3.3 Relevant Management Plans and Conservation Areas

West Mojave Plan (WMP)

In 1976, Congress designated the 25-million-acre California Desert Conservation Area (CDCA). The Bureau of Land Management (BLM) developed a management plan for the CDCA in 1980, but conditions relative to species status, conservation programs, wilderness and national park designations, and other land uses have changed since the original plan was developed. BLM has completed a series of regional plan amendments, among them the WMP (BLM 2005), which encompasses 9.4 million acres in the western Mojave Desert. The City of California City was a collaborator on the WMP. The Project Site is in the WMP planning area.

The goals of the WMP are to present a comprehensive strategy to conserve and protect the desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mojavensis*), plus nearly 100 other special-status plants, animals, and biologically important natural communities. The WMP approach of conserving large tracts of land for desert tortoise and Mohave ground squirrel will simultaneously preserve habitats and populations of many Mojave desert flora and wildlife. Desert tortoise and Mohave ground squirrel are umbrella species that occupy broad areas and habitat, whereby protection of their habitat also protects many other species.

In large part, the WMP provides for conservation and management of the identified special-status species and biologically important areas through a system of targeted management areas - Habitat Conservation Areas (HCAs) - which include Desert Wildlife Management Areas (DWMAs) for desert tortoises. Species-specific conservation measures are prescribed for each HCA, including a fee schedule for ground disturbance both in and out of HCAs, on both public and private lands under the jurisdiction of participating agencies in the WMP.

The Project Site is not within or near lands identified as conservation lands to preserve unique natural resources in the California City General Plan (California City 2009), which is

incorporated by reference into the WMP. It is approximately three miles southwest of the Fremont-Kramer DWMA and the Desert Tortoise Research Natural Area (DTRNA; Figure 3). The DTRNA was incorporated into the DWMA by BLM during the WMP planning process. The nearest other WMP HCA or designated Wilderness Area is the Middle Knob Area of Critical Environmental Concern (ACEC) several miles west and separated from the Project Site by disturbed as well as native lands.

Desert Tortoise Recovery Plan

In June 1994, the final Desert Tortoise (Mojave Population) Recovery Plan was released (FWS 1994a). A Revised Recovery Plan was published in 2011 (FWS 2011a). The Revised Recovery Plan takes a new approach to reversing declines in Mojave desert tortoise populations through a coordinated effort of science-based implementation and evaluation of conservation actions. The revised plan advances a natural resource management model that recognizes the need to adjust to the accelerating pace of environmental change. The plan identifies the threat of large-scale energy development and the potential impacts to desert tortoises and their habitat, recognizing that additional focus on desert tortoise conservation in the face of renewable energy development is necessary. In the interim, the plan recommends several recovery actions designed to reduce the threats associated with energy development, centered around maintaining viable habitat and connectivity.

The 1994 Recovery Plan identified six evolutionarily significant units of the desert tortoise in the Mojave region, based on differences in tortoise behavior, morphology and genetics, vegetation and climate. The revised plan revised these to five recovery units based on newer data on genetic, ecological, and physiological distinctions. Within the recovery units, suggested DWMAs act as reserves in which recovery actions are implemented. As identified above, the Project Site lies three miles from the Fremont-Kramer DWMA on the east side (Figure 3).

The Recovery Plan works in concert with Critical Habitat, designated for the desert tortoise in 1994 (FWS 1994b) by prescribing management actions to aid recovery, with Critical Habitat providing legal protection. The Project is not within designated desert tortoise Critical Habitat. The closest Critical Habitat Unit (CHU) is the Fremont-Kramer CHU, roughly 10 miles to the northeast.

4.0 SURVEY METHODS

4.1 Literature Review

Several species known to occur on or in the vicinity of the Project are accorded "special-status" by federal and state agencies because of their recognized rarity or potential vulnerability to extinction. These species typically have a limited geographic range and/or limited habitat and are referred to collectively as "special-status" species. Prior to field surveys, a target list of special-status species that might be affected by the Project was developed (Table 1) based on known results of other surveys in the area, available literature and databases (e.g., California Native Plant Society [CNPS], California Natural Diversity Data Base [CNDDB], Consortium of California Herbaria) and consultation with experts and journal accounts. Species for which no

Table 1. Plant and Wildlife Species Observed or Potentially Occurring within the Project Vicinity.

Species	Status[1]				Habitat	Likelihood of Occurrence on the Project Site or Survey Area
	Federal	State	CNDDB Rank[2]	CNPS[3]/ Other		
Plants						
Alkali Mariposa Lily (*Calochortus striatus*)	BLM Sensitive	—	G2/S2	1B.2	Alkaline soils of meadows and washes, in chaparral, chenopod scrub, and Mojavean Desert scrub at 70 to 1,600 meters (200 to 5,200 feet). Also occurs in Nevada. Blooms April through June (perennial herb).	Highly unlikely due to lack of habitat; not observed
Barstow Woolly Sunflower (Eriophyllum mohavense)	—	—	G2/S2	1B.2	Chenopod and Mojavean desert scrubs, also playas. Often growing with *Coreopsis calliopsidea*; 500-960 m (1650-3000 feet)	Highly unlikely due to lack of habitat; not observed
Booth's Evening-primrose (*Eremothera boothii ssp. boothii*)			G5T4/S2	2.3	Sandy flats, steep loose slopes in Joshua-tree and pinyon-juniper woodland; 900 to 2,400 meters (2,953 to 7,874 feet). Blooms June through August (annual herb).	Unlikely; not observed
Charlotte's Phacelia (*Phacelia nashiana*)	—	—	G3/S3	1B.2	Granite and sandy soils in Mohavean desert scrub, Joshua tree woodland and pinyon-juniper woodland; 600-2200 m (2000-7300 feet)	Possible; not observed
Clokey's Cryptantha (*Cryptantha clokeyi*)	—	—	G2/S2	1B.2	Sandy and gravelly soils in Mohavean desert scrub, 725-1365 m (2,400-4,500 feet). Nearest Consortium records are east of Hwy. 395 and near Lancaster.	Possible; not observed
Creamy Blazing Star (*Mentzelia tridentata*)	—	—	G2G3/S2S3	1B.3	Mojavean and Sonoran Desert Scrubs; typically associated with drainages from 90 to 671 meters (295 to 2,200 feet). Blooms April through September.	Unlikely due to lack of habitat; not observed
Desert Cymopterus (*Cymopterus deserticola*)	BLM Sensitive	—	G2/S2	1B.2	Coarse-sandy sites in Mojave Desert Scrub and Joshua Tree Woodland; 630-1500 m.	Possible; not observed
Lane Mountain Milk-vetch (*Astragalus jaegerianus*)	E	—	G1/S1	1B.1	Joshua tree woodland and Mojavean desert scrub at 900 to 1,200 meters (3,000 to 4,000 feet). Known only from fragmented populations in and adjacent to Fort Irwin.	Highly unlikely due to known elevations, habitat and populations; not observed
Latimer's Woodland Gilia (*Saltugilia latimeri*)	—	—	G2/S2.2	1B.2	Dry desert slopes of coarse sandy to rocky soils in chaparral and Mojavean desert scrub at 400 to 1,900 meters (1,300 to 6,200 feet) elevation. Blooms April through June (annual herb).	Possible; not observed
Mojave Fishhook Cactus (*Sclerocactus polyancistrus*)	—	—	G4/S3.2	4.2	Mojavean Desert Scrub, Pinyon-Juniper Woodland and Great Basin Scrub at 640 to 2332 meters (2,100 to 7,650 feet). Blooms April through July (perennial stem succulent).	Not present
Mojave Monkeyflower (*Mimulus mohavensis*)	BLM Sensitive	—	G2/S2	1B.2	Gravelly banks of desert washes in the Mojave Desert at 600 to 1,000 meters (1,970 to 3,280 feet). Blooms April through mid-May (annual herb).	Possible; not observed
Pale-yellow Layia (*Layia heterotricha*)	—	—	G2/S2	1B.1	Open areas of alkaline or clay soils in cismontane woodland, coastal scrub, pinyon and juniper woodland, and valley and foothill grassland; blooms March to June	Highly unlikely due to lack of appropriate habitat; not observed

Species	Status[1]				Habitat	Likelihood of Occurrence on the Project Site or Survey Area
	Federal	State	CNDDB Rank[2]	CNPS[3]/ Other		
Parish's Phacelia (*Phacelia parishii*)	BLM Sensitive	—	G2G3/S1	1B.1	Clay or alkaline soils in Mojavean desert scrub, particularly playa edges; 540-1,200 meters (1,780-4,000 feet). Nearest known location is near Fort Irwin.	Not present - no habitat; not observed
Pierson's Morning Glory (*Calystegia peirsonii*)	—	—	G3/S3.2	4.2	Chaparral, coastal scrub, chenopod scrub, cismontane woodland, lower montane coniferous forest. Often in disturbed areas or along roadsides or in grassy, open areas; blooms April to June	Highly unlikely; not observed
Purple-nerve Cymopterus (*Cymopterus multinervatus*)	—	—	G5?/S2	2.2	Sandy or gravelly areas in Mojavean Desert scrub, pinyon-juniper woodland, and Joshua tree woodland at 790 to 1800 meters (2592 to 5906 feet). Blooms March through April (perennial herb).	Highly unlikely; not observed
Red Rock Canyon Monkeyflower (*Erythranthe rhodopetra*)	—	—	G1/S1	1B.2	Sandy or gravelly canyons and washes in Mojavean Desert scrub; known only from the El Paso Mts. 610-930 m (2000-3000 feet)	Highly unlikely due to distance from known populations and known habitat; not observed
Red Rock Poppy (*Eschscholzia minutiflora twisselmanii*)	—	—	G5T2/S2.2	1B2	Volcanic tuff in Mojavean desert scrub. 680-1230 m (2200-4060 m)	Highly unlikely due to distance from known populations and known habitat; not observed
Red Rock Tarplant (*Deinandra arida*)	—	R	G1/S1	1B.2	Volcanic tuff and clays in Mojavean desert scrub; 300-950 m (1000-3100 feet). Blooms April to November.	Highly unlikely due to distance from known populations and known habitat; not observed
Sagebrush Loeflingia (*Loeflingia squarrosa* var. *artemisiarum*)	—	—	G5T2T3/S2.2	2.2	Sandy flats and dunes, sandy areas around clay slicks. Desert dunes, Great Basin scrub, Sonoran desert scrub. Blooms April to May	Highly unlikely due to lack of appropriate habitat; not observed
Short-joint Beavertail (*Opuntia basilaris* var. *brachyclada*)	BLM Sensitive	—	G5T3/S3	1B.2	Sandy soil or coarse, granitic loam in chaparral, Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland, and riparian woodland. Blooms March to June	Not present - not observed
White Pygmy-poppy (*Canbya candida*)	—	—	G3/S3.2	4.2	Sandy places in the Mojave Desert; 600 to 1350 meters (1,969 to 4,429). Blooms April through May (annual herb).	Possible; not observed
Winged Cryptantha (*Cryptantha holoptera*)	—	–	G3G4/S3?	4.3	101 to 1676 meters (330-5,500 feet) in Mojave and Sonoran Desert Scrubs; often sandy habitats. Blooms March through April (annual herb).	Possible; not observed
Invertebrates						
San Emigdio blue butterfly (*Plebulina emigdionis*)	—	—	G2G3/S2S3	—	Southern California, from southern San Joaquin Valley and Mojave Desert south to Victorville area. Dry rivercourses and intermittent streamsides as well as adjacent flats. Host plant is *Atriplex canescens*.	Highly unlikely; no host plants on site; not observed
Reptiles and Amphibians						
Agassiz's Desert Tortoise (*Gopherus agassizii*)	T	T	G4/S2	—	Most desert habitats below approximately 5,000 feet in elevation.	Not present on site in 2014; known from the area.
Mojave Fringe-toed Lizard (*Uma scoparia*)	BLM Sensitive	SSC	G3G4/ S3S4	—	Restricted to aeolian sandy habitats in the Mojave and northern Sonoran deserts	Not present; no habitat

Species	Status[1]				Habitat	Likelihood of Occurrence on the Project Site or Survey Area
	Federal	State	CNDDB Rank[2]	CNPS[3]/ Other		
Silvery Legless Lizard (*Anniella pulchra pulchra*)	—	SSC	G3G4T3T4Q/ S3	—	Occurs primarily in areas with sandy or loose loamy soils under the sparse vegetation of beaches, chaparral, or pine-oak woodland. Also occurs in desert scrub at the western edge of the Mojave Desert. Often found under, or in the close vicinity of, surface objects such as logs, rocks, old boards and the compacted debris of woodrat nests. Prefer soils with high moisture content.	Unlikely; not observed
Birds						
American Peregrine Falcon (*Falco peregrinus anatum*)	Delisted BCC	Delisted Fully Protected	G4T3/S2	—	Dry, open country, including arid woodlands; nests in cliffs.	Possible forager on site; may nest in nearby mountains or trees; not observed
Bendire's Thrasher (*Toxostoma bendirei*)	BCC	SSC	G4G5/S3	—	Arid to semi-arid brushy habitats, usually with yuccas, cholla, and trees.	Highly unlikely onsite due to lack of suitable habitat; not observed
Brewer's Sparrow (*Spizella breweri*)	BCC	— (nesting)	G5/S3	—	Open meadows and flats.	Observed
Burrowing Owl (*Athene cunicularia*)	BCC	SSC	G4/S2	—	Open, arid habitats.	Possible; not observed
Ferruginous Hawk (*Buteo regalis*)	BCC	— (wintering)	G4/S3S4	—	Arid, open country. Nests in northeastern California, but winters in southern California, including the desert	Possible as winter visitor; not observed
Golden Eagle (*Aquila chrysaetos*)	BCC	Fully Protected	G5/S3	—	Open country; nests in large trees in open areas or cliffs.	Unlikely forager over site; may nest in nearby mountains or trees; not observed
Le Conte's Thrasher (*Toxostoma lecontei*)	BCC	—	G3S3	—	Open desert with scattered shrubs.	Possible; not observed
Loggerhead Shrike (*Lanius ludovicianus*)	BCC	SSC (nesting)	G4/S4	—	Arid habitats with perches.	Possible; not observed
Northern Harrier (*Circus cyaneus*)	—	SSC (nesting)	G5/S3	—	Open habitats; nests in shrubby pen land and marshes.	Possible; not observed
Prairie Falcon (*Falco mexicanus*)	BCC	— (nesting)	G5/S3	—	Dry, open country, including arid woodlands; nests in cliffs.	May breed locally, but no breeding habitat onsite; may forage over site; not observed
Short-eared Owl (*Asio flammeus*)	—	SSC (nesting)	G5/S3	—	Open habitats: marshes, fields; nests on ground and roosts on ground, low poles.	Possible migrant only; not observed
Swainson's Hawk (*Buteo swainsoni*)	BCC	T	G5/S2	—	Forages in open stands of grass-dominated vegetation, sparse shrublands, and small, open woodlands. Only known nesting in desert is in Lancaster area.	May migrate over the site; no nesting potential on the site; not observed
Mammals						
American Badger (*Taxidea taxus*)	—	SSC	G5/S4	—	Many habitats	Possible; not observed

Species	Status[1]				Habitat	Likelihood of Occurrence on the Project Site or Survey Area
	Federal	State	CNDDB Rank[2]	CNPS[3]/ Other		
California Leaf-nosed Bat (*Macrotus californicus*)	---	SSC	G4/S2S3	WBWG:MH	Lowland desert associate, found in caves, mines, tunnels and old buildings. Only known significant roosts are in southeastern CA. Forages in desert wash vegetation, especially with trees.	Highly unlikely; not observed
Desert Kit Fox (*Vulpes macrotis*)	---	Protected furbearer	---	---	In open desert scrub and dunes	One active and one inactive burrow observed in the buffer area; site is potential habitat
Mohave Ground Squirrel (*Xerospermophilus mohavensis*)	---	T	G2G3/S2S3	---	Mojave Desert in open desert scrub, alkali desert scrub, grasslands; restricted to San Bernardino, Los Angeles, Inyo, and Kern Counties.	Possible but key forage species absent; not observed
Pallid Bat (*Antrozous pallidus*)	---	SSC	G5/S3	WBWG:H	Several desert habitats, but appears to roost primarily in rock crevices and outcrops. No colonies known from the northwestern Mojave Desert	Highly unlikely due distance from rocky outcrops; not observed
Spotted Bat (*Euderma maculatum*)	---	SSC	G4 /S2S3	WBWG:H	Many habitats, from arid scrub and grasslands, to coniferous forests; known locally from Red Rocks and north. Roosts in rocky cliffs or rock mines; often found foraging in wet areas.	Highly unlikely due distance from cliffs. Probably no foraging habitat; not observed
Townsend's Big-eared Bat (*Corynorhinus townsendii*)	---	SSC	G4/S2S3	WBWG:H	Broad habitat associations. Roosts in caves and manmade structures; forages in trees	Highly unlikely - no foraging habitat; minimal roosting habitat in the area; not observed.
Western Mastiff Bat (*Eumops perotis californicus*)	---	SSC	G5T4/S3?	WBWG:H	Crevice-dwelling species that occupies cliffs, trees, tunnels, buildings; found in a wide variety of habitats, from low desert scrub to ponderosa pine. May forage many miles from roosts. No roosts have been detected in the Project vicinity.	Highly unlikely due to lack of known roosts; not observed

Sources: Species information sources include, but are not limited to, CNDDB RareFind (CNDDB 2014a). *The Jepson Manual* (Baldwin et al. 2002), California Native Plant Society (CNPS) *Inventory of Rare and Endangered Plants* (CNPS 2014), the *Jepson Flora Project* (http://ucjeps.berkeley.edu/), and many others.

[1] CDFW and Habitat Data Analysis Branch, Biogeographic Data Branch (CNDDB) *Special Animals List* (2011):http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/SPAnimals.pdf

- C Candidate for Listing
- E Endangered
- T Threatened
- BCC FWS Bird of Conservation Concern
- State SC CDFW Species of Special Concern (species that appear to be vulnerable to extinction)
- Fully Protected Species that cannot be taken without authorization from the Fish and Game Commission
- WBWG = Western Bat Working Group (http://wbwg.org)
  - H – High Priority – These species should be considered the highest priority for funding, planning, and conservation actions.
  - M – Medium Priority – These species warrant closer evaluation, more research, and conservation actions of both the species and the threats
  - L – Low Priority – Most of the existing data support stable populations of the species and that the potential for major changes in status is unlikely

[2] CNDDB (2011) and (2014b): *Special Vascular Plants, Bryophytes, and Lichens List, January 2014* (www.dfg.ca.gov/biogeodata/cnddb/pdfs/SPPlants.pdf). CNDDB rank interpretation from NatureServe (2013): http://www.natureserve.org/explorer/ranking.htm#interpret

Global Rank
- G1 = Critically Imperiled
- G2 = Imperiled
- G3 = Vulnerable
- G4 = Apparently Secure
- G5 = Secure
- ? = Inexact Numeric Rank

State Rank
- S1 = Critically Imperiled
- S2 = Imperiled
- S3 = Vulnerable
- S4 = Apparently Secure
- S5 = Secure
- SX= All California sites are extirpated

Subspecies or Variety Rank and Other Symbols

T1-T5: same definition as global and state ranks, except that rank only applies to the particular variety or subspecies.
X: species is considered extirpated

[3] California Rare Plant Rank (CNPS 2014):
List 1A - Plants presumed extinct in California
List 1B - Plants rare and endangered in California and elsewhere
List 2 - Plants rare and endangered in California but more common elsewhere
List 3 - Plants about which CNPS needs more information
List 4 - Plants of limited distribution (Watch List)
(Note: CNPS lists 1 and 2 require CEQA consideration.)
Threat Ranks: 0.1-Seriously threatened in California (high degree/immediacy of threat)
0.2-Fairly threatened in California (moderate degree/immediacy of threat)
0.3-Not very threatened in California (low degree/immediacy of threats or no current threats known)

habitat or site use could occur (e.g., mountain or aquatic species) were eliminated. Other protected species, such as the desert kit fox (*Vulpes macrotis*), a protected furbearer (CDFW Code 4000 and Title 14 §460), were also included in the target list.

4.2 Field Surveys

Surveys adhered to standardized protocols for all relevant species for which there are protocols, as well as to biologically sound approaches for the remaining species and taxa. Survey methods for each taxon or taxa group are described below. The methods presented were approved by CDFW and FWS in Spring 2014, with very minor exceptions, for a much larger (951 acres) proposed PV solar site seven miles north of the Project, also surveyed in Spring 2014 (Karl 2014).

4.2.1 Rare Plant and Vegetation Surveys

4.2.1.1 Special-status Plant Species

The Project Site received well below-average precipitation in the months preceding spring (Table 2) especially in the previous October and November, which are critical for germination of spring-flowering species (botanically designated as winter annuals). On 24 February, I visited the Project Site to evaluate germination and phenology in order to optimize survey timing. While there were a few areas along Neuralia Rd. (a north-south road approximately one mile west) that had obviously received sufficient winter rain for seed germination of spring-flowering species, such was not the situation at the Project Site. No annuals had germinated and there was minimal greening of the shrubs; most were quite dry. However, following this visit, a late winter storm traveled through the Mojave Desert, including towns in the Project vicinity (e.g., Ridgecrest). Without earlier precipitation and germination, late winter storms generally germinate a low diversity of annuals, dominated by exotic species (pers. obs.). Nonetheless, there was the possibility that a few individuals of some rare species might have germinated if this late rain had fallen at the site. Accordingly, two botanists/wildlife biologists - Michael Honer and Alice Karl - conducted rare plant surveys on 14 April. Unlike the methodology employed for the larger project to the north, the rare plant surveys on the Bolthouse Project were concurrent with desert tortoise surveys because of the high degree of experience of both surveyors and the very poor germination. The surveys were conducted at the optimum time for plant identification and were conducted in accordance with the CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2009). This included 100 percent visual coverage using 33-foot-wide transects over the entire Project Site. In the two areas with a higher probability for special-status plants to occur - the washes on the eastern and western Project Site boundaries - more intensive surveys were conducted. There were no additional native areas downwind or downslope from the Project that would be affected by the Project, to examine for rare plants. Prior to conducting surveys, both surveyors reviewed the target species (descriptions, photographs of live or herbarium specimens, microhabitat associations).

Target lists (Table 1) are simply a starting point, based on reported presence data and known distribution data. Species that are unexpected may occur at a particular site. Hence, a complete species inventory was recorded during the survey and all species observed were keyed to species, if not immediately known.

Table 2. Winter 2013/2014 and Average Monthly Precipitation Data (in Inches) for Mojave, CA.

YEAR	Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Annual
2013	0.04	0.04	0.10	0.00	0.00	0.00	0.00	3.00	0.00	0.02	0.55	0.05	3.80
2014	0.01	0.25	0.00[1]	0.00	0.47	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Average 1904-2013	1.2	1.27	0.93	0.30	0.09	0.03	0.11	0.15	0.21	0.24	0.53	0.87	5.93

Source: National Oceanic and Atmospheric Administration (NOAA, 2014)

N.A. – Not applicable to critical winter rainfall period

1. No data were available for Mojave, but the nearest station with similar values to Mojave for the winter was north Edwards Air Force Base

4.2.1.2 Species Protected by the California Desert Native Plants Act (CDNPA)

We inventoried and estimated abundance of all CDNPA species during the plant surveys.

4.2.1.3 Habitat Mapping and Special Natural Vegetation Communities

Vegetation was mapped and described and included habitats and vegetation communities considered special by CDFW (e.g., streambeds, rare CNDDB Natural Communities [CNDDB 2010] or those with a Global [G] or State [S] rank 1-3) or otherwise special (i.e., potential habitat for special-status species). Soils, substrates, plant communities (and subsets), hydrology and topography were mapped and described. Surrounding anthropogenic and natural features that could provide insight into populations of special-status species, including population functioning (e.g., corridors), and existing or anticipated impacts to special-status species, also was identified and mapped.

4.2.1.4 Creosote Rings

Creosote bush rings are generally considered to be biologically important because of their age and genetic significance. An age of 9,400 years old has been suggested for the unusually large Lucerne Valley clones (Vasek 1980). The rings are created as the plant gets older and the central portions of the plant die back, sending up new shoots at its perimeter. Over time, this clonal activity produces a ring of creosote bushes with a bare spot in the middle, and the larger the ring, the older the plant. Creosote bush is a very widespread species of the southwestern warm deserts, currently ranging from the northern Mojave Desert to the Chihuahuan Desert in southern Mexico. The species experiences increasing polyploidy from south to north, with diploid populations in the Chihuahuan Desert and tetraploid plants in the Sonoran Desert - both areas dominated by summer rainfall - and hexaploid plants in the Mojave Desert and summer-dry areas of Baja California (Barbour 1969, Yang 1970). Hexaploid populations tend to be heavily clonal, with large, old clones on older, stable surfaces (Vasek and Barbour 1977). Although there is no County Planning Code (County of Kern 2014) or California City Planning requirement (California City 2009) for protection of creosote rings of certain sizes (for example, San Bernardino County protects rings that are at least 10 feet in diameter), we mapped and measured a representative sample of creosote rings of varying diameters while in the field. In the event that the County assigns importance to creosote rings, then we can use these samples on aerial photographs to determine sizes and numbers of creosote rings on the Project.

4.2.1.5 Non-native Plants

Invasive plants are defined as any non-native plant species that is injurious to the public health, agriculture, recreation, wildlife habitat, or the biodiversity of native habitats. The California

Invasive Plant Council (Cal-IPC) categorizes invasive plants as high, moderate, or limited according to the severity of their ecological impact (Cal-IPC 2006). Invasive plants classified as high consist of species that have severe ecological impacts on physical processes, plant and animal communities, and vegetation structure, and have a moderate to high rate of dispersal and establishment. Those classified as moderate consist of species that have substantial and apparent (but not severe) ecological impacts, and have a moderate to high rate of dispersal and establishment; however, establishment is generally dependent upon a disturbance regime such as soil disruption or fire. Those classified as limited consist of species that are invasive, but whose ecological impacts are minor on a state-wide level. Dispersal and establishment of species classified as limited are generally low to moderate. We inventoried all invasive plant species and recorded the location of concentrations.

4.2.2 Wildlife Surveys

4.2.2.1 Desert Tortoise

Agassiz's desert tortoise is a state and federally Threatened species known to occur in the area. We conducted presence-absence desert tortoise surveys on 14 April and 5-6 May 2014, following FWS recommended protocols (FWS 2010). The entire Project Site was surveyed using 33-foot-wide (10-meter-wide), contiguous transects to achieve 100 percent visual coverage (Figure 4). The survey team comprised two biologists to minimize the searching and focus inefficiencies that are common with larger teams. Both are experienced tortoise and general desert biologists: Michael Honer and Alice Karl. Buffer transects included a 33-foot-wide transect walked at 655 feet (200 meters), 1,310 feet (400 meters), and 1,970 feet (600 meters) from the western, northern and eastern Project Site boundary where there was native habitat; the transect at 655 feet was walked at 500 feet to coincide with the burrowing owl transect at 500 feet (see Section 4.2.2.3 Burrowing Owl, below). All desert tortoise surveys followed timing and temperature requirements in the FWS protocols (i.e., April-May and September-October; air temperatures at two inches above the ground <104°F).

On all transects (including buffer transects for burrowing owls – see below), all tortoise sign (tortoises, burrows, shells, scat, tracks, drinking depressions) was sought, measured, mapped, and described relative to condition, age (using a key to sign classes [Appendix C]) and, if possible, gender. All tortoises found were to be assessed for size, gender and clinical signs (if this could be achieved without touching or otherwise harassing the tortoise) and the location (e.g., aboveground, visible in burrow, not visible in burrow) recorded; no tortoises were touched. Shells and shell parts also were evaluated relative to the cause of death, if possible. Current and recent weather conditions were recorded and the topography, drainage patterns, soils, substrates, plant cover, and aspect-dominant, common and occasional plant species described and mapped. All incidental sightings of common ravens, other known tortoise predators, and other site features (e.g., anthropogenic influences) that could assist in the analysis of tortoise population impacts were recorded, described and mapped. Mapping was achieved using a GPS unit. All transect data were recorded on specially-designed data forms (Appendix B) and representative areas photographed.

4.2.2.2 Mohave Ground Squirrel

Mohave ground squirrel is a State-listed Threatened species known from the Project vicinity. Presence was assumed, so no protocol trapping surveys were conducted.

4.2.2.3 Burrowing Owl

Burrowing owl (*Athene cunicularia*) is a California Species of Special Concern and although it is not listed by the federal or state Endangered Species Act, its potentially compromised status prompted a previous proposal for state listing. Even though the listing proposal was rejected, the burrowing owl remains a high-profile species with the resource agencies. It is also legally protected under the Migratory Bird Treaty Act and CDFG Codes 3503, 3503.5, and 3513.

The site and vicinity offer burrowing owl habitat. Accordingly, breeding-season surveys were conducted to determine if the site is currently occupied by burrowing owls or there is evidence of recent occupation (i.e., within the last couple years). Surveys were conducted according to CDFW survey guidelines described in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). This included four site visits between 15 February and 15 July, spaced at least three weeks apart, including one before 15 April and one after 15 June. The first survey was conducted on 14 April, concurrent with the Project Site desert tortoise site survey because of the intensity of those ground-focused surveys. Transects were walked at 33-foot (10-meter) intervals. The second of the four burrowing owl visits was conducted on 5 and 6 May. Because no burrowing owl burrows were identified on the Project Site in the mid-April survey and the vegetation is fairly open, north-south transects were walked at 130 feet (40 meters) on the Project Site. For the buffer transects, a 30-foot-wide transect was walked every 100 feet between 50 feet and 500 feet from the western, northern and eastern borders of the Project Site.

The third and fourth surveys were conducted on 27 May and 8 July 2014. During each of these two surveys, the Project Site and 500-foot buffer area were surveyed. On the third visit, the Project Site transects were walked east to west, at 130-foot (40-meter) intervals; buffer transects were walked at 100, 200 and 500 feet from the borders of the Project Site. On the fourth visit, the transect spacing was still 130 feet, but the transects were on different routes to avoid duplication of effort; this was ensured by recording tracks and UTMs on each survey. The buffers walked on this fourth visit were at 50, 150, 250 and 450 feet.

During all visits, all owls and owl sign (burrows, whitewash, pellets, prey remains) were mapped using a GPS unit with <16 foot (5 meter) accuracy, and qualified relative to age, so that focused observations could be made on those sites with owls or recent sign in subsequent survey sessions. With the exception of the first survey (14 April), surveys were conducted between morning civil twilight and roughly1000 h and from two hours before sunset until evening civil twilight. The first visit, which focused on finding burrows, was conducted during daylight hours. Alice Karl and Paul Frank were the primary biologists conducting these surveys; Michael Honer surveyed with Alice Karl on the first survey visit.

4.2.2.4 Other Avian Surveys

Migratory Birds

Because of the Project Site's location immediately adjacent to extensive, occupied residential development and the high school, natural migration and occupation of the Project vicinity by migratory birds is already highly compromised. Recreation (OHVs), elevated predation (dogs, cats, probably increased predation by coyotes attracted to the site by domestic prey), large-scale landscape changes, and modifications of existing habitat on the site by dumping, exotic weeds, recreation and runoff are but a few of the factors that would have already heavily impacted populations of birds that may have come historically nested or migrated through the Project vicinity.

Raptors and Golden Eagles

For the same reasons discussed for migratory birds, any foraging habitat for golden eagles (*Aquila chrysaetos*) is already highly compromised. FWS also determined that golden eagle-specific surveys were not required for the much larger project to the north (Karl 2014).

4.2.2.5 Bats and Insects

Based on the lack of known significant roosts for special-status bats in the Project vicinity (BLM 2005) and lack of apparent onsite or nearby roosting habitat, no focused bat surveys were warranted. Nor were focused surveys warranted for the single special-status, but unlisted, insect – San Emigdio blue butterfly (*Plebulina emigdionis*) - for which no host plants (four-winged saltbush [*Atriplex canescens*]) were present in the Project Site. However, during desert tortoise surveys, including buffer transects, we recorded any bat roosts observed (e.g., abandoned dwellings). If a significant bat roost had been identified on the site, then a bat expert would have been contacted to identify the species and potential impacts of the Project on the species. If significant roosts were confirmed, additional focused bat survey requirements would have been discussed and approved with the agencies.

4.2.2.6 Other Special-status Wildlife

Other special-status wildlife surveys and wildlife inventories were conducted concurrently with desert tortoise surveys. All observations of special-status wildlife species, or their sign (e.g., scat, tracks, bones, feathers) or habitats, were recorded and mapped. Although desert kit fox is not a special-status species, no take is permitted by CDFW. Therefore, we recorded foxes and fox presence, and mapped all kit fox dens. All sign of all special-status species was qualified relative to age, size, and other factors that could illuminate the potential use of the site by the species.

5.0 SURVEY RESULTS AND DISCUSSION

This section describes the results of the Spring/Summer 2014 surveys and focuses on special-status species observations. A complete inventory of plants and wildlife observed during surveys can be found in Appendix D.

5.1 Rare Plants and Vegetation

5.1.1 Special-status Plant Species

The late storm had, in fact, fallen only minimally on the Project Site and surrounding area and had been sufficiently late to result in little germination, and then mostly exotic species. Shrubs had responded somewhat and were beginning to leaf out.

No rare plants were observed. However, due to the lack of rain, it is inconclusive whether any special-status plant annual or herbaceous species grow in areas that might be disturbed by the Project or would be affected indirectly by Project activities. A few of the species grow later in the spring or early summer (e.g., Booth's evening primrose [*Eremohera boothii*]), but there was no rain in 2014 that might germinate these species. None of the target species from Table 1 grow *only* in response to summer rains, such that they would be available for surveying in autumn only. Only two species grow in response to summer as well as prior winter rains, Red Rock tar plant (*Deinandra arida*) and creamy blazing star (*Mentzelia tridentata*). However,

populations of both species are highly unlikely at the Project Site due to habitat features and/or distance from known populations, so fall surveys (had it rained) were not warranted.

5.1.2 CDNPA Species

Biologists observed one species protected by the CDNPA during Spring 2014 surveys: silver cholla (*Cylindropuntia echinocarpa*). The species was very uncommon on the site. To fulfill the County requirements, individuals can be mapped and qualified for salvage and transplanting if tortoise or burrowing owl pre-construction clearance surveys are conducted, or during initial site grading.

5.1.3 Desert Washes (Streambeds)

The two artificially enhanced washes that flow along the Project Site's borders can be avoided by configuring the Project's grading, solar arrays and infrastructure, or provide alternative contouring or barriers to preclude flow of Project-related materials into those channels. A small buffer (e.g., 15-20 feet) would avoid impacts to most nesting birds, if any nested in the wash. This would avoid the need for an LSA agreement with the CDFW.

5.1.4 Special Natural Plant Communities

There are no special natural plant communities on the proposed Project Site. The artificially created Rubber Rabbitbrush Scrub Alliance is not a special natural community due to its low Global (G) and State (S) ranking: G5/S5.

5.1.5 Non-Native Plants

Twelve non-native species were observed during Spring 2014 surveys (Appendix D): black mustard, wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis rubens*), cheatgrass (*Bromus tectorum*), Bermudagrass (*Cynodon dactylon*), redstem filaree (*Erodium cicutarium*), foxtail barley (*Hordeum murinum*), Russian thistle (*Salsola tragus*), split grass (*Schismus barbatus*), London rocket (*Sisymbrium irio*) and Oriental hedge mustard (*Sisymbrium orientale*). The site itself is not particularly weedy by western Mojave Desert standards. With the exception of redstem filaree and split grass, which are common and ubiquitous desert annuals and not considered noxious, most of the plants were actually offsite, in the two washes and roadsides that bordered the Project Site. They are a product of the runoff and seed bank from the residential development.

5.2 Wildlife

5.2.1 Listed Species

5.2.1.1 Desert Tortoise (FWS: *Threatened*; CDFW: *Threatened*)

No live tortoises, scat, tracks, or recently used burrows were found on the Solar Site that would suggest that tortoises are currently occupying the site. Without tortoises or their sign, density cannot be estimated from either the FWS (2010) calculator or tortoise ecological factors (e.g., home range, number of burrows used per year). However, while no current sign was found, the Project Site and areas to the north and west are tortoise habitat and it is possible that tortoises could occur on the Project Site at some point in the future. If present in the future, densities would be expected to be very low because of the residential development abutting the Project Site and the resultant high predation levels from dogs, ravens and coyotes. Coyotes are attracted to the residences, as evidenced by coyote scat on and adjacent to the Project Site that

contained cat hair, undoubtedly from domestic cats. Ravens were also very commonly observed and are attracted to the residences because of trash, water, and other food. Increased levels of these important tortoise predators would undoubtedly affect any tortoises that might attempt to reside in the Project Site or immediate area.

Project Impacts to Desert Tortoises

While not currently present on the Project Site, a very low number of tortoises could move onto the site and/or be injured or killed during construction activities, including upgrades to the very short access road. However, this possibility is very low, based on the factors discussed above that would affect tortoise presence at this site. So, direct impacts are possible, but unlikely.

Potential indirect impacts are also not likely to occur. Coyotes and ravens, the major native predators at the Project Site, are currently heavily subsidized in the area because of the residential development. Given the current subsidies, they are unlikely to increase in the Project vicinity simply due to the Project. Proliferation of weed species and concomitant impacts (e.g., suppression of native forage species, enhancement of wildfires), which are already moderately abundant due to the runoff from the suburbs, is unlikely. Not only will there be Project-specific measures to control weeds, but the solar field surfaces will be stabilized and thereby not provide suitable germination sites for weed seeds.

Regarding population-level impacts, there is no likelihood that tortoise populations in the Project vicinity would be affected by development of the Project. First, tortoise densities in the Project vicinity are low. Surveys conducted in 1998 and 1999 for the WMP planning process found tortoise sign on only one of eight transects west of the DTRNA in the Project vicinity (BLM 1999), strongly suggesting an extremely low density of tortoises in the Project vicinity west of the DTRNA. Second, there is no connectivity corridor to the DTRNA and DWMA provided by the Project Site. Connectivity for tortoises is achieved not by a *movement* corridor, but by viable, occupied habitat. Except for certain life stages (e.g., dispersing immatures, nesting females), tortoises do not have long distance movements like larger, more mobile vertebrates (e.g., canids, felids). Instead, important connectivity "corridors" are continuously occupied areas from one habitat patch to another. There is no occupied habitat south and east of the Project Site, in the immediate Project vicinity or on the Project Site. Hence, the Project is not a corridor for tortoises.

In summary, because of the Project Site's location, the loss of the existing native habitat will not have a biologically significant negative effect on the local tortoise population nor individual tortoises. This is true regardless of the long-term declines in desert tortoise densities rangewide (Karl 2004 and 2010, McLuckie et al. 2006, Boarman et al. 2008, FWS 2011), including the DTRNA (Berry 1997).

5.2.1.2 Swainson's Hawk (FWS: *Bird of Conservation Concern*; CDFW: *Threatened*)

Even though not observed, it would not be surprising to see Swainson's hawks migrating through this area because the Project vicinity is in a known migratory route for these hawks (Woodbridge 1998). However, the Project is located well outside of this species' typical breeding range (England 2005). The nearest nesting attempts, in the Antelope Valley near Lancaster (Polite 2006), are outliers, occurring intermittently and in very low densities (England 2005). While no quantitative information is available for the nesting habitat requirements of Swainson's hawk in the Mojave Desert, all observed nesting there has been in association with Joshua trees and Fremont cottonwoods. The only trees in the immediate Project vicinity are landscape trees, but these are also associated with high human activity.

5.2.1.3 Mohave Ground Squirrel (FWS: *None*; CDFW: *Threatened*)

An important forage species identified by Dr. Phil Leitner (P. Leitner, pers. comm. to A. Karl), winterfat (*Krascheninnikovia lanata*), is absent from the Project Site and does not appear to grow naturally in the immediate Project vicinity. That, in addition to the likely high predation rate from coyotes and domestic dogs, makes it unlikely that this species would be present, even though no trapping was conducted to confirm this.

5.2.2 Non-listed, Special-status Species

5.2.2.1 Special-status Birds

Burrowing Owl (FWS: *Bird of Conservation Concern*; BLM: *Sensitive*; CDFW: *SSC*)

No burrowing owls and no burrowing owl sign were encountered during surveys. Few suitable burrows for nesting or cover were observed. This is very likely due to the low abundance of burrowing animals during this prolonged drought; burrowing owls in the Mojave Desert rely on other animals to construct burrows. However, the site is burrowing owl habitat and it would not be unusual for them to attempt to occupy the site. Elevated predation by domestic dogs and coyotes would likely limit the success of that occupation.

Golden Eagle (FWS: *Bird of Conservation Concern, BGEPA*; CDFW: *Fully Protected*)

No golden eagles or their nests were observed during the Spring 2014 surveys and there are no suitable nesting structure available on or around the Project Site. The Project Site is within the breeding and wintering range of the golden eagle (Kochert et. al 2002) and BLM's database has recorded active nests on the DTRNA and in the mountains to the west (M. Margosian, BLM, pers. comm. to A. Karl). Foraging by nesting eagles has been observed to extend at least four miles from nests (McGrady et al. 2002 and Watson and Davies 2009 in FWS 2011b). While the Project Site provides prey items (rabbits and hares), there is no reason to believe that their populations are unusually high at the Project Site. In fact, with increased coyote presence, rabbit populations are probably very low. Further, the surrounding residential development would be a deterrent to foraging by eagles. There is ample, much higher quality prey habitat on the DTRNA and elsewhere in the valley that is available for eagle foraging, thereby negating any negligible lost opportunities resulting from Project development.

Brewer's sparrow (FWS: *Bird of Conservation Concern*)

A single, probably migrating Brewer's sparrow was observed. Brewer's sparrows spend much of the year in sagebrush scrub vegetation and migrate to the open desert scrub of the southwestern U.S. during the winter (Rotenberry et. al 1999). In southern California, they are uncommon breeders of higher elevations. The Project Site is not, or marginally, within the species wintering range. Accordingly, the Project would negligibly affect this species.

Other Species

The Project Site itself does not have high quality habitat for birds, and most species that might nest there are common (e.g., sage sparrow, horned lark). There is no vertical vegetation structure that would be attractive to and even required by several special-status species, such as loggerhead shrikes and LeConte's thrashers. The two drainages, which are largely offsite, would offer the best habitat for most bird species. Although nesting possibilities are minimal except for more common species, elevated numbers of neotropical migrants might be expected at the Project Site. Butterbredt Spring, about 20 miles northwest of the Project Site, is a known

birding hot spot (eBird 2014), hosting scores of neotropical migrants from March through May (BLM 2005). The Project lies in the corridor between Butterbredt Spring and two other hot spots: Galileo Hill in northeastern California City and Central Park in the town of California City. Migrating raptors also would be expected. Kelso Valley, in the Sierra Nevada foothills northwest of the Project, is a well documented raptor migration area. Up to 30,000 turkey vultures pass through these areas in September and October, en route to Mexico (BLM 2005).

5.2.2.2 Special-status Mammals

One special-status mammal –desert kit fox – was detected during Spring 2014 surveys. Two single-entranced burrows were observed in the Project Site buffer (Figure 4). One was active and the second was inactive.

The desert kit fox inhabits many desert habitats, from creosote bush flats to sand dunes, typically with less than 20 percent vegetation cover (National Park Service [NPS] 2014). Because each litter is born in February or early March (NPS 2014), it is unlikely that any dens on the Project Site will be sought for use again until September or October when the vixen begins searching for a natal den in her home range (NPS 2014). Desert kit fox families typically occupy several natal dens during any given year, and den changes may be frequent during the summer when puppies begin to forage with the parents. The number of dens used per year is dependent on several variables, potentially including prey availability, predation pressure, ectoparasite loads, and quality of denning substrates. The Project Site is suitable kit fox habitat, but occupation is probably limited by predation pressure from coyotes and domestic dogs.

5.3 Potential for Other Special-status Species to Occur

5.3.1 Special-status Wildlife and Plant Species Not Observed, but Which May Occur on the Project Site and Survey Area

In addition to the special-status species observed during surveys, it is possible that some of the remaining special-status species from Table 1 could inhabit the Project Site and immediately adjacent areas. These include species that may not have been observed during surveys because of their rarity, behavior, season of surveys (e.g., wintering birds) or lack of germination or above ground growth due to reduced rainfall (special-status plants).

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FIGURES

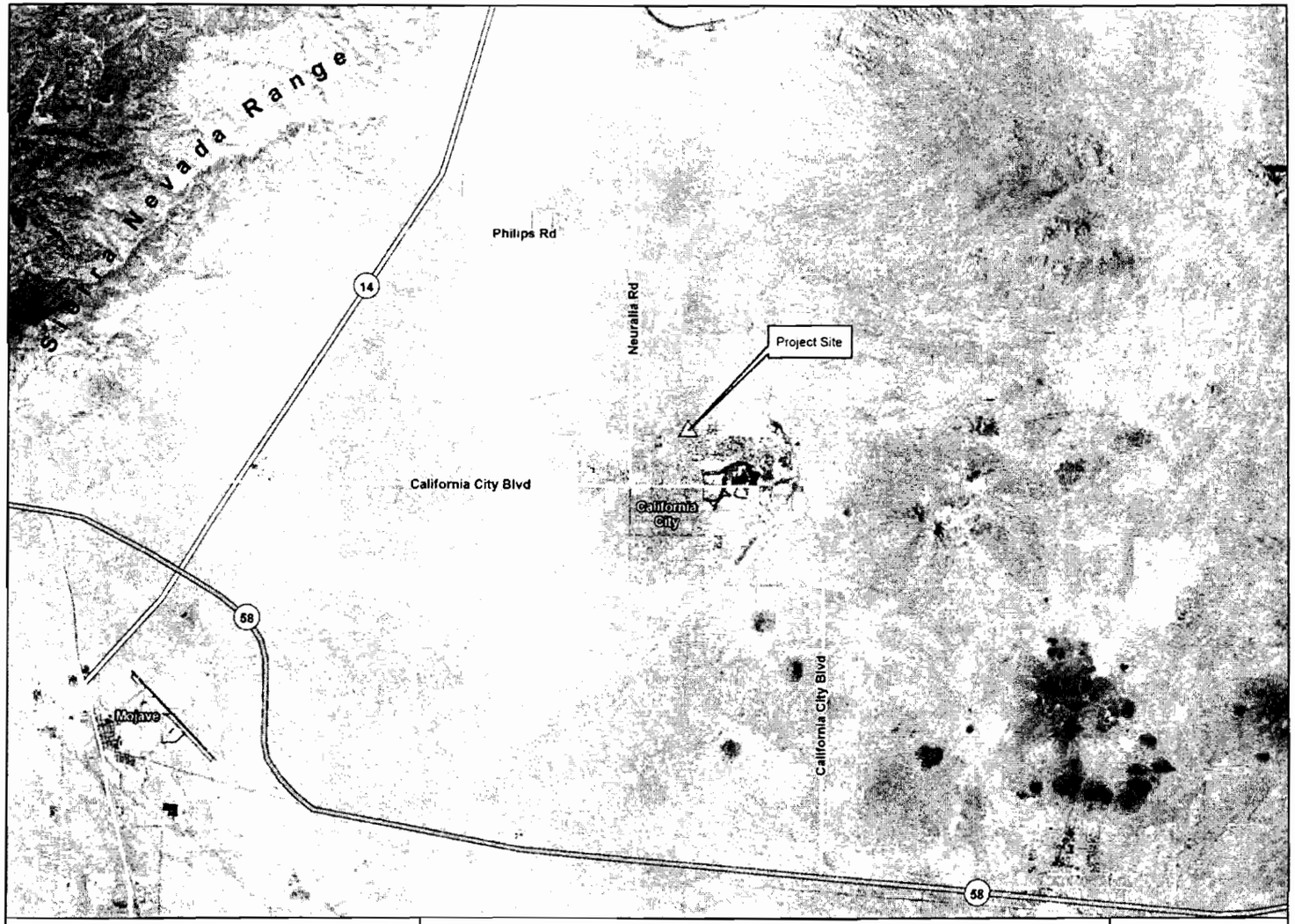

Figure 1. Bolthouse Solar Projects, California City, California

ADAMS Environmental, Inc.

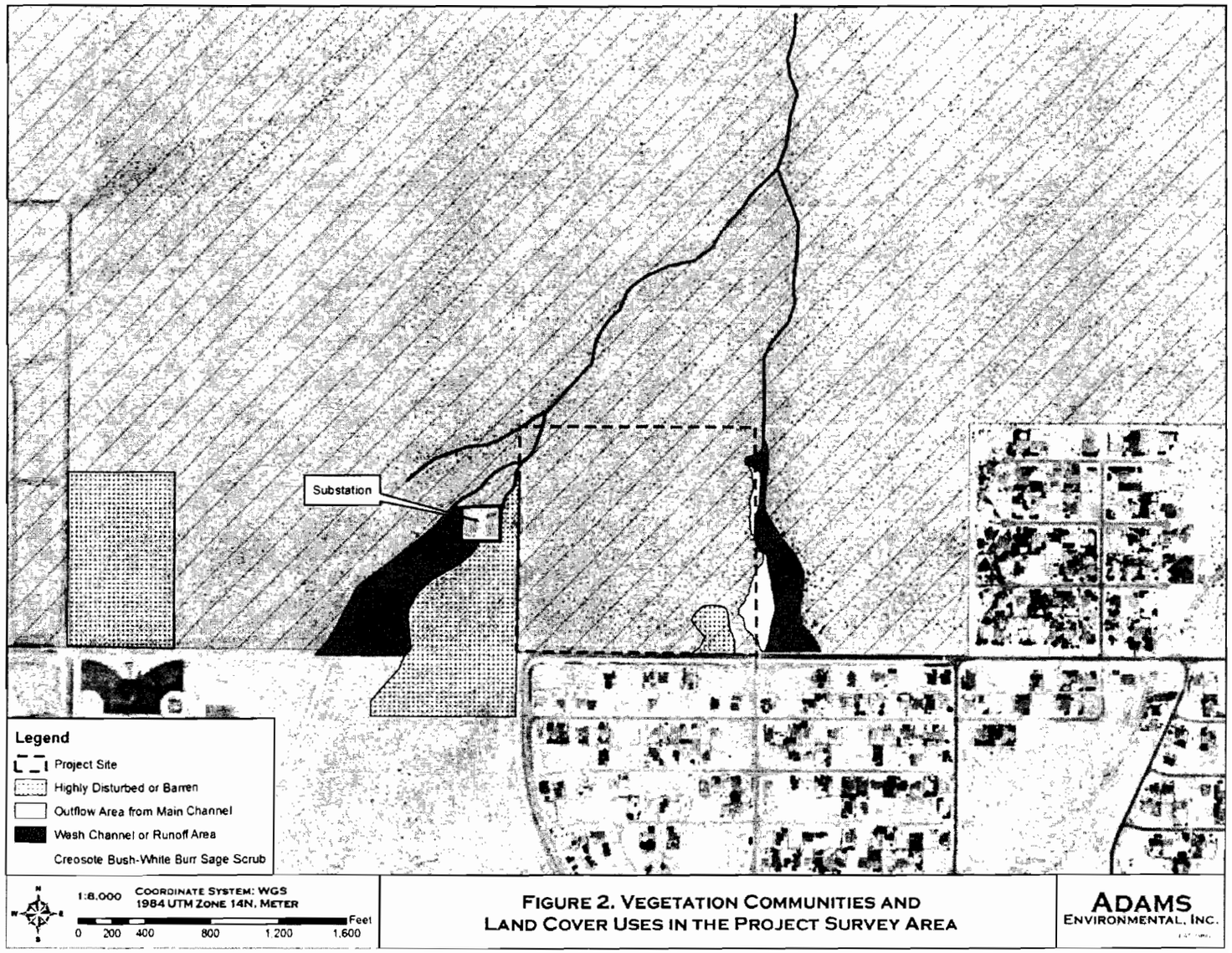

Figure 2. Vegetation Communities and Land Cover Uses in the Project Survey Area

ADAMS ENVIRONMENTAL, INC.

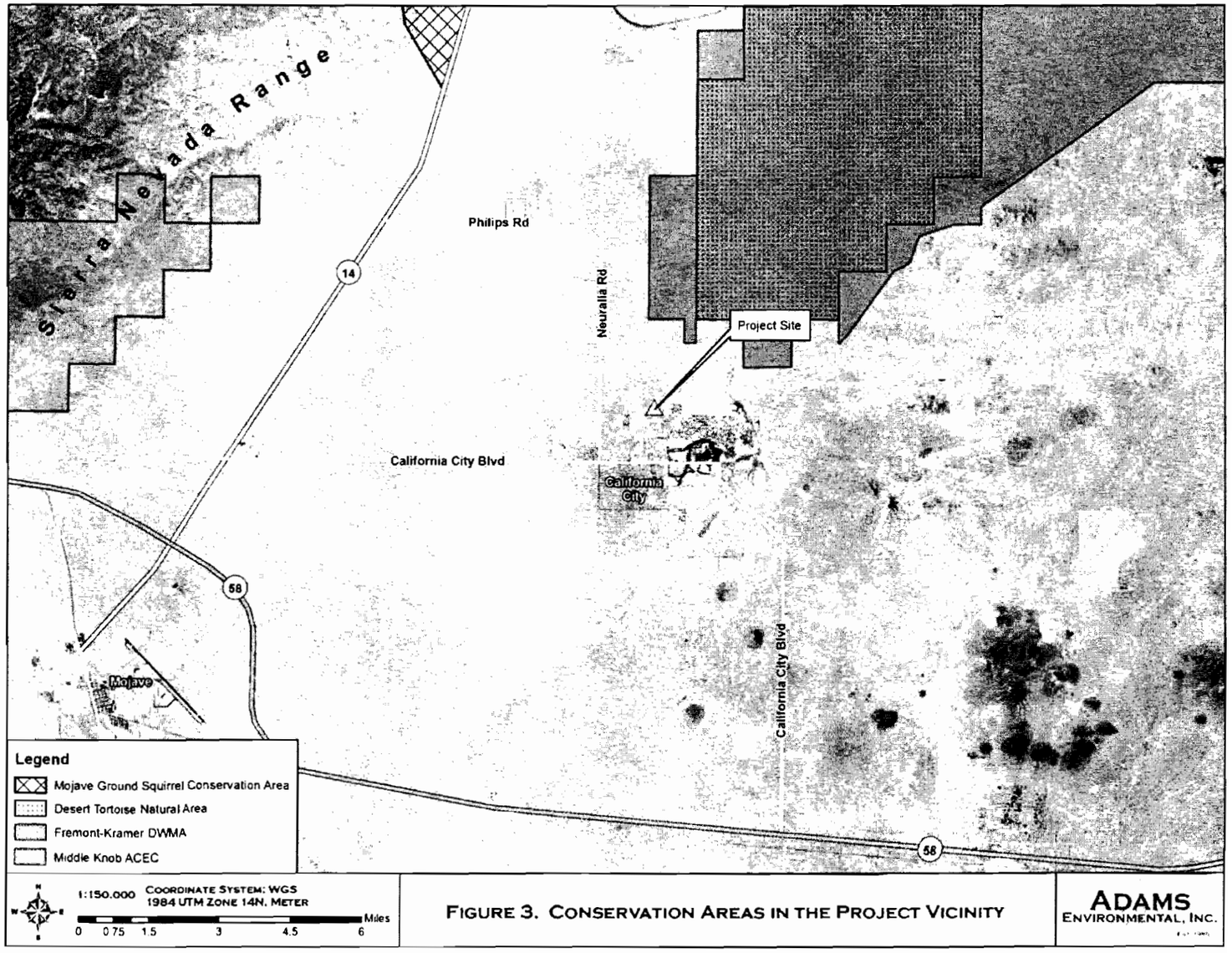

FIGURE 3. CONSERVATION AREAS IN THE PROJECT VICINITY

ADAMS ENVIRONMENTAL, INC.

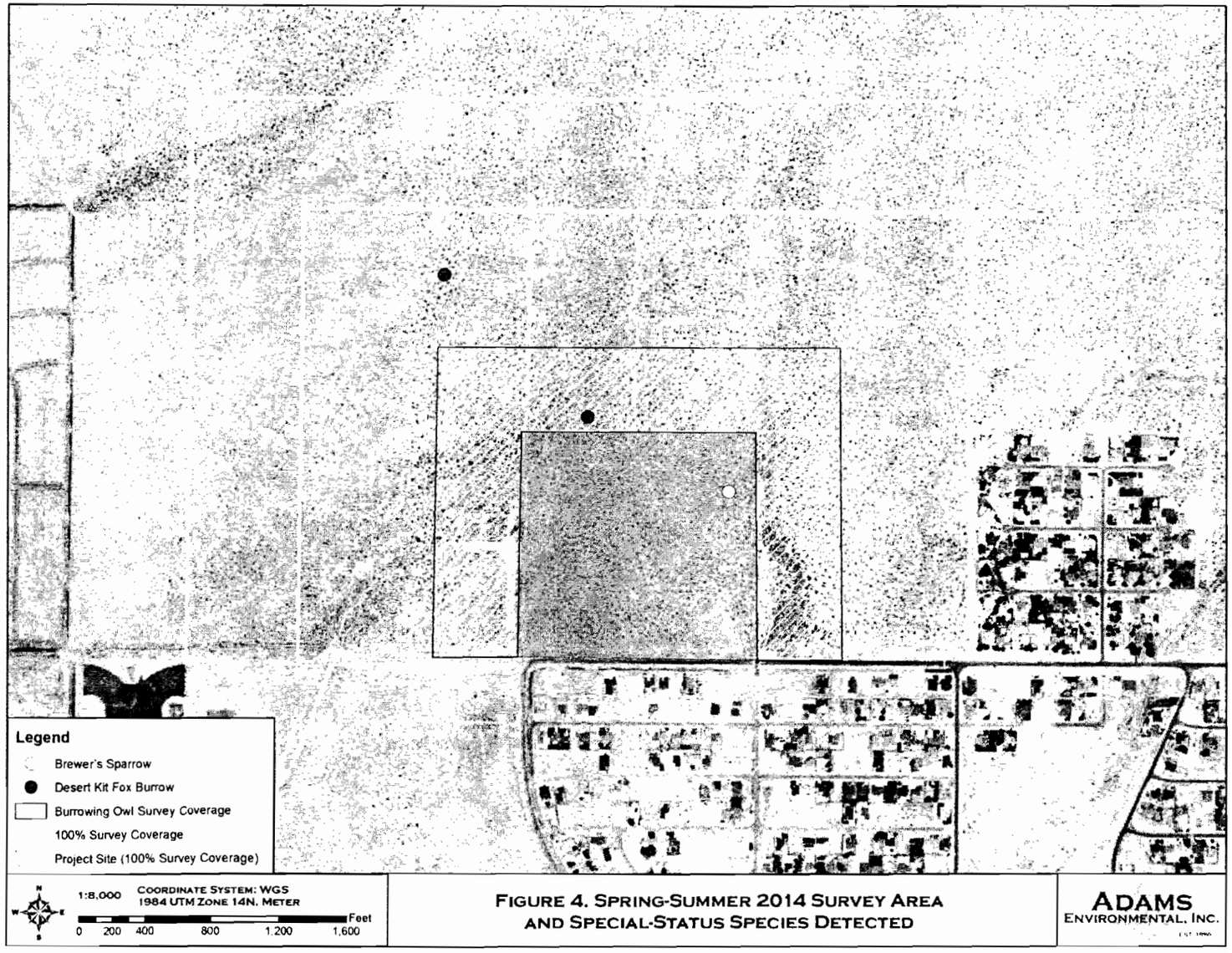

Figure 4. Spring-Summer 2014 Survey Area and Special-Status Species Detected

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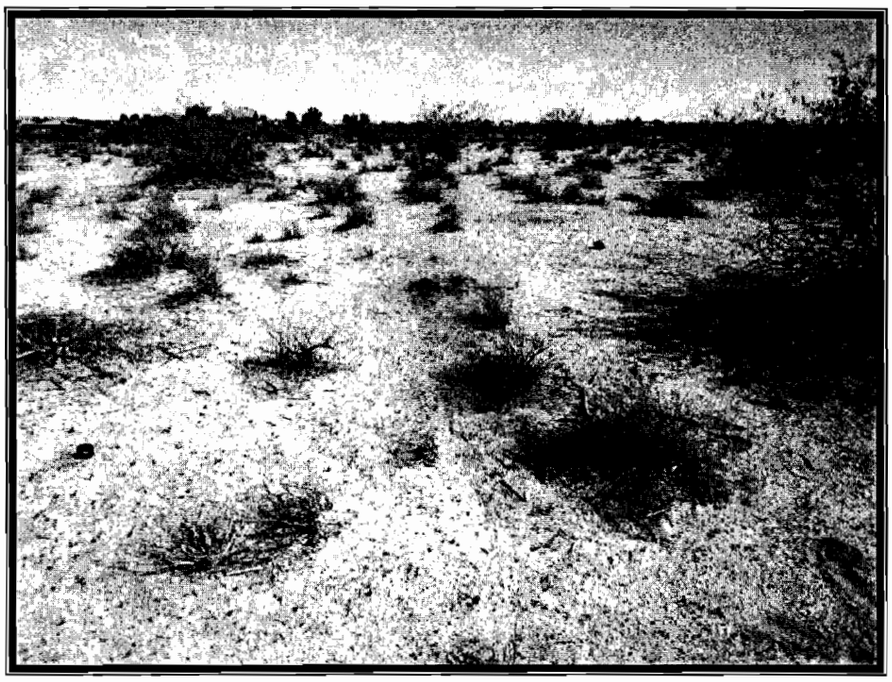
APPENDIX A

REPRESENTATIVE SURVEY AREA PHOTOGRAPHS



Project Site. Photo was taken on 14 April. Note the dry conditions f the shrubs and the paucity of annual growth.

The wash along the eastern border of the Project Site. The cut channels are the result of runoff from the residential area.

The broad, mustard-choked swale that flows toward the substation as a result of runoff from the residential area and the high school. This photo is taken from the southwestern corner of the substation, facing south-southwest.

APPENDIX B

EXAMPLES OF SURVEY DATA SHEETS

PROJECT: Pioneer Green Energy California City Solar and Energy Storage Project **Page** 1

2014 DESERT TORTOISE/WILDLIFE SURVEYS
+ BUOW (unit #2)

DATE 05 May ~~06 May~~ **2014** (Did 100-400 on 05 May, Did 500 on 06 May) (on solar site sheet)
TIME: Start 1646 05 May
End 2008

SURVEYORS: Navigator A. Karl
GPS "
Data "

WEATHER:

	Ta	Tg 5	Cloud Cover	Wind
Start	24.0	24.6	60% high stratus + cirrus	W 9-11
End	18.6	18.3	——	W 3-5

Yesterday + prior - clear + warm; calm

PROJECT ELEMENT/LOCATION Buffer - 100-800' on N + W + E

UTMs (NAD 83; Identify location) (about 50' from road, N of site)
0412022 **E** 389 465 **N**

TRANSECT WIDTH ~~10 m~~ 100'
(note FT or M)

GENERAL SITE DESCRIPTION:

VEGETATION SHRUB LAYER AND BUNCH GRASSES)
Aspect Dominants LATR AMP
E wash + swale - CHNA
E of pjt is more depauperate, virtually all LATR exc. wash

Common Species ERICOO, HYSA, ACSP, LYAN

Occasional Species LYCO TETAXI

% Cover 7-9% E - 5-6%
Avg. Height of Dominant Shrub Species LATR - 1.5-2 m

UNDERSTORY
Abundant Species ERCI, SCAR

Exotics (Map concentrations and describe here relative to population size and geographic breadth.)
All channels have abundant weeds, esp. Brassica nigra + BRRUB (map). AMBACA, BROTEC, Avena fatua + ++)

TOPOGRAPHY
Landform Very gently rolling bajada

Drainage Type Narrow channels (w/ also swale for eastern channel) that are shallow to <2 m deep (W channel) + artificially created and maintained by street runoff. Low swale along most of eastern prop. boundary

Elevation (state meters or feet) 2350'

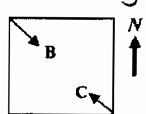
SUBSTRATE
Color Light tan
Coarse Particles (Type, % Cover) <5% fine gravel

Soil Texture and Consistence Soft, sl. loamy coarse sand

PRESENCE OF PREDATORS: Ravens - # Detected 3 (heard) **# Nests**
✓ **Coyotes – Sign Present?** ✓ **Scat (describe rel. abundance)** ✓ (~~scat~~) **Other**

HUMAN-RELATED DISTURBANCES (Onsite and Adjacent) Houses + paved street abut S edge of pjt; housing development continues E + W of pjt along S side too, a few hundred meters E of E boundary. Small dump piles along roads, esp. in north. OHV trails in N plus a few throughout.

SITE PICTURE: Photographer ALK
A - Form ☐
B - SE from NW Corner ☐ See map.
C – NW from SE Corner ☐
D – Other ☐



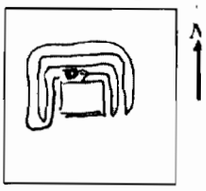
~~**COMMENTS**~~ Drainage has been altered - runoff from street feeds the E wash; runoff W of pjt has created a large BRANIC swale + also created the ~~large~~ wash on pjt's NW corner.

Many scat in wash/swale near houses/ often full of cat fur. Dog digs in this area also.

PROJECT Pioneer Green Energy California City Solar and Energy Storage Project Page 1

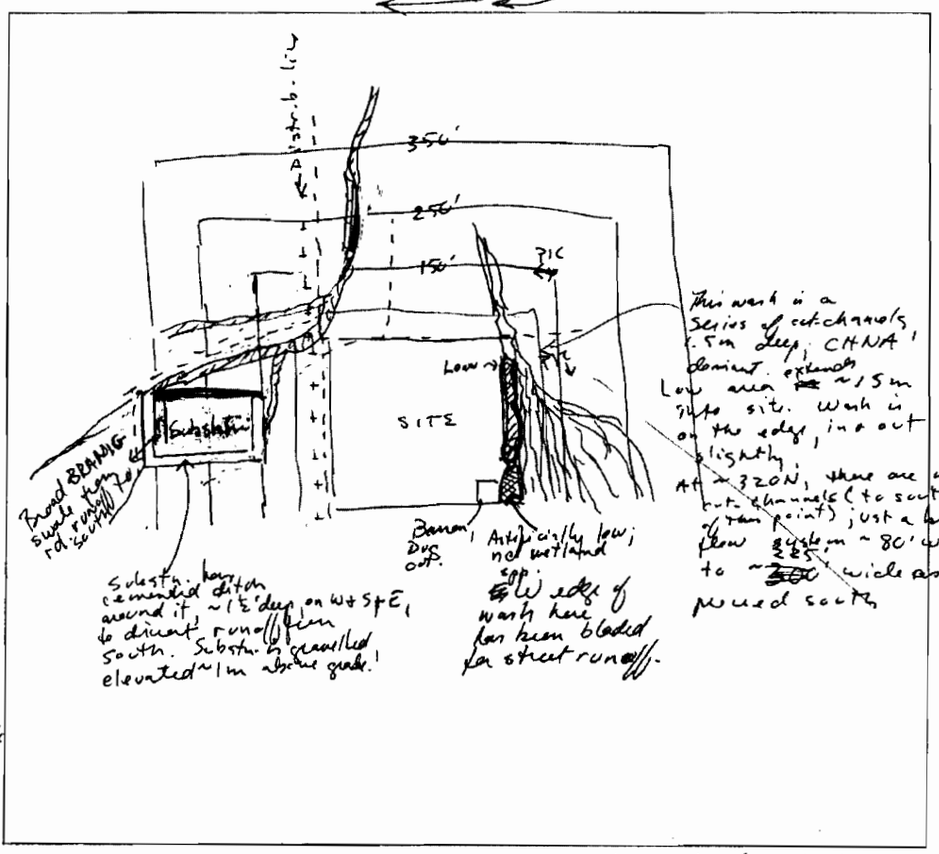
DATE May 5 2014
LOCATION IN SITE 100-500' buffers (BUOW +)
LEGEND:
- - - - Dirt rd
+++ -D - Distrib. line
~~~ - channel
▨▨▨ - major wash

- Show transect,s: start, and end by direction and transect number
- Map Sign by sign number
- Map and briefly describe hydrology, desert pavement, and dunes



Houses

Highschool | Disturbed habitat | Houses



MODO
(Common Nighthawk)

ERICOO

A lot of coyote scat in wash, often w/ a lot of cat hair; bones of 1 small dog.

Ravens - III
~~~

Pioneer Green Energy California City Solar and Energy

Sign #	Waypoint I.D.	UTM (NAD 83)	DESERT TORTOISE Sign Type	Class	Size Width (sc, bur, tr) MCL (shell, tort)	Burrow Location	In/Out Burrow? Visible?	Live Tortoise Evidence of Disease?	Photo who's camera
			NO		SIGN				

Sign #	Waypoint I.D.	UTM (NAD 83)	OTHER SPECIES Species	Sign Type	Sign Condition	Comments

SAVED TRACK
27-MAY-14 PD

PROJECT PIONEER GREEN ENERGY
BURROWING OWL PHASE 3 SURVEY

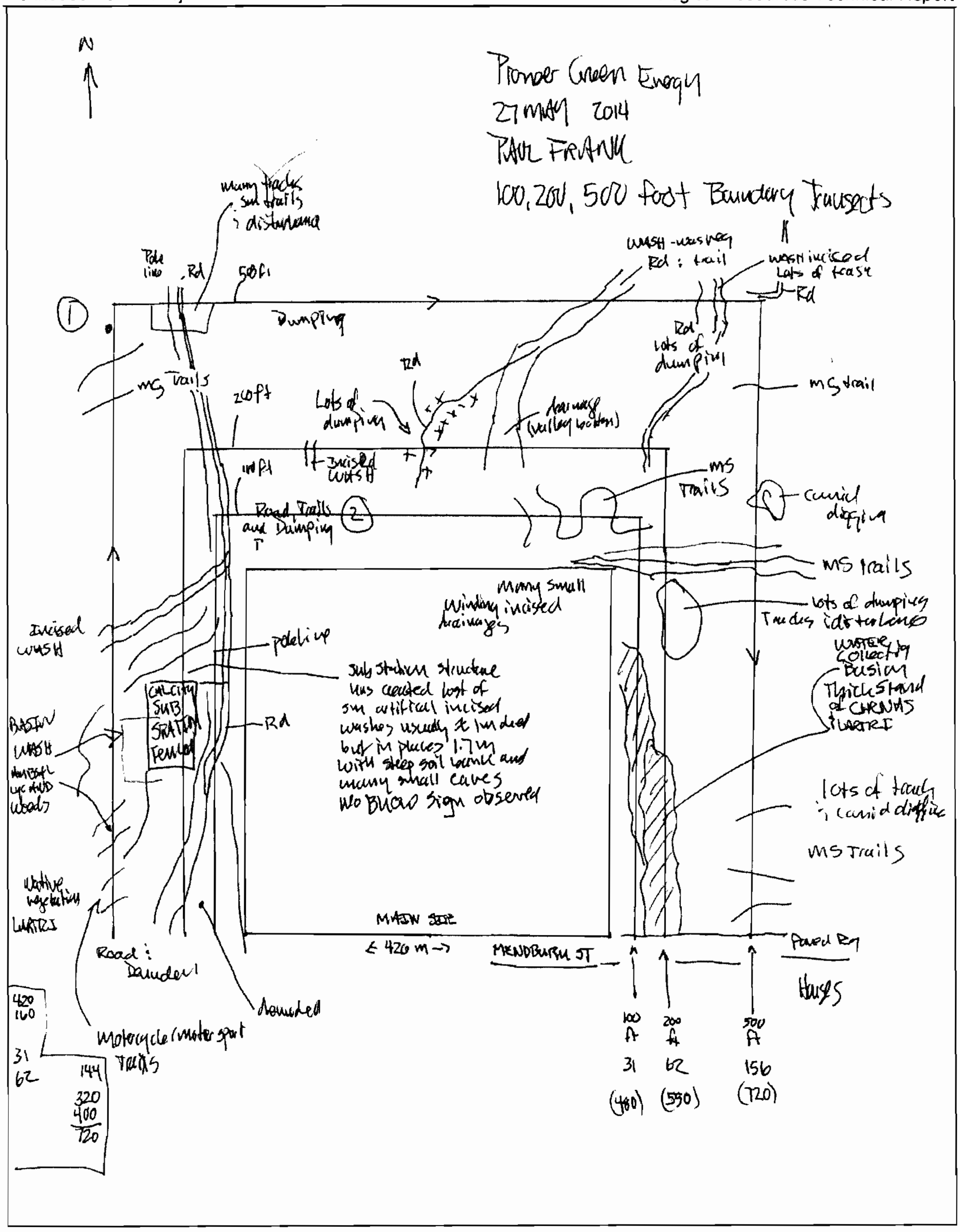
Page 1

DATE 27 MAY 2014
TIME: Start 06:30
End 09:05
WEATHER:

OBSERVER: PAUL FRANK
General Area in Project:
100, 200, 500 foot Buffers
EAST, NORTH, WEST
(31, 62, 156m)
(Draw map of survey route on back of form)

	Ta	Cloud Cover	Wind
Start	15.8	Clear	1-2 S
End	37.2	Clear	1-2 S

Location (Project Element)	Time (note zone)		Observations (BUOW, Other [e.g., availability of usable burrows, presence of CGS or RTGS])
	Start	Stop	
500 ft buffer ~~of~~ West boundary North bound	06:30		(1) PP F01 09 11 68 active burr dou-single hole 38 89 741
500 ft buffer North boundary East bound			∅
500 ft buffer East boundary South bound		7:40	∅
200 ft buffer East boundary North bound			∅
200 ft buffer N. boundary			∅
200 ft. buffer W boundary		8:25	∅
100 Ft buffer W boundary			∅
100 Ft buffer N boundary			(2) P P F02 09 11 945 In active burr burrow 38 89 485 single hole
100 Ft buffer E boundary		9:05	∅


N
27 MAY 2014
PAUL FRANK
100, 200, 500 foot Boundary Transects
Dumping
MS Trails
200 ft
100 ft
50 ft
Lots of dumping
Rd
MS trail
MS Trails
canid digging
MS trails
Incised WASH
pole line
Substation structure has created lots of sm artificial incised washes usually ≤ 1m deep but in places 1.7m with steep soil banks and many small caves
No BUOW Sign observed
MAIN SITE
← 420 m →
MENDIBURU ST
Paved Rd
Houses
100 ft
200 ft
500 ft
31
62
156
(480)
(550)
(720)
Road : Denuded
Denuded
Motorcycle/motor sport Trails
MS Trails

APPENDIX C

KEY TO DESERT TORTOISE SIGN CLASSES

KEY TO SIGN CLASSES

BURROWS

1 – DEFINITELY TORTOISE – FRESH (TRACKS, TORTOISE INSIDE, FRESHLY DISTURBED SOIL ON MOUND/RUNWAY)

2 – DEFINITELY TORTOISE – USED THIS SEASON (CLEARED OF ANNUALS, BUT NO FRESHLY DISTURBED SOIL)

3 – DEFINITELY TORTOISE – NOT USED THIS SEASON (PROBABLY HAS ANNUALS GROWING IN RUNWAY)

4 – POSSIBLY TORTOISE – IN GOOD CONDITION BUT UNSURE OF SPECIES USING BURROW

5 – DEFINITELY TORTOISE – DETERIORATED SUCH THAT IT WOULD REQUIRE SUBSTANTIAL REMODELING TO BE USABLE

6 – POSSIBLY TORTOISE – DETERIORATED

SCAT

TY1 – WET OR FRESH; DARK, ODORIFEROUS

TY2 – DRIED, POSSIBLE GLAZE ON PART; UNEXPOSED SURFACES DARK BROWN; SLIGHT ODOR

TY3 – DRIED, NO GLAZE; AT LEAST PARTIALLY FADED ON EXTERIOR; VERY SLIGHT ODOR

NTY3 – DRIED, NO GLAZE; AT LEAST PARTIALLY FADED ON EXTERIOR; NO ODOR (DISTINGUISHES FROM TY3)

NTY4 – DRIED, LOOSENING, PALE OR BLEACHED

CARCASSES – GENERAL INDICATORS FOR TIME SINCE DEATH

<1 YR – UNEXPOSED SCUTES NORMAL COLOR AND SHEEN, ADHERE TIGHTLY. EXPOSED SCUTES PALING AND MAY BE LIFTING OR OFF. UNEXPOSED BONE WAXY AND SOLID.

1–2 YRS – UNEXPOSED SCUTES NORMAL COLOR WITH SLIGHT SHEEN, MOSTLY TIGHTLY ATTACHED. EXPOSED SCUTES SLIGHTLY PALE WITH NO SHEEN AND NO TO SLIGHT GROWTH RING PEELING. NO ODOR. UNEXPOSED BONE SILKY.

2–3 YRS – UNEXPOSED SCUTES PALE AND WITHOUT SHEEN BUT NO GROWTH RING PEELING. EXPOSED SCUTES PALE WITH SLIGHT PEELING, SCUTES LOOSE, OFF AND/OR TIGHT. BONE SUTURES GENERALLY TIGHT.

4 YRS – UNEXPOSED SCUTES NORMAL COLOR TO SLIGHTLY PALE, NO SHEEN, NO PEELING. EXPOSED SCUTES LOOSE, PALE, DULL, WITH MODERATE PEELING. SUTURES SEPARATING AND BONE SURFACE IS FISSURED, EDGES ARE ROUGHENED (FISSURED UNDER HAND LENS) AND CHIP FAIRLY EASILY.

>>4 YRS – DISARTICULATED AND DISARTICULATING. BONE EDGES CHIP AND CRUMBLE EASILY. SCUTES ARE PEELING AND CURLED.

APPENDIX D

ALL SPECIES OBSERVED OR DETECTED DURING FIELD SURVEYS

Appendix D. All Species Observed or Detected during Field Surveys

Wildlife and Plant Species Observed in the Project Survey Area during Spring-Summer 2014 Surveys	
REPTILES	
Callisaurus draconoides	zebra-tail lizard
Aspidoscelis (=Cnemidophorus) tigris	western whiptail
Gambelia wislizenii	leopard lizard
Uta stansburiana	side-blotched lizard
BIRDS	
Artemisiospiza belli	sage sparrow
Campylorhynchus brunneicapillus	cactus wren
Carpodacus mexicanus	house finch
Chordeiles acutipennis	lesser nighthawk
Corvus corax	common raven
Mimus polyglottos	northern mockingbird
Piranga ludaviciana	western tanager
Passerina amoena	Lazuli bunting
Spizella breweri	Brewer's sparrow
Tyrannus verticalis	western kingbird
Wilson's warbler	Wilsonia pusilla
Zenaida macroura	mourning dove
MAMMALS	
Canis latrans	coyote (scat)
Lepus californicus	black-tailed Jackrabbit
Sylvilagus auduboni	brush rabbit
Vulpes macrotis	desert kit fox (burrows)
PLANTS **	
Acamptopappus sphaerocephalus var. *hirtellus* (O)	goldenhead
Ambrosia acanthicarpa (C-patchy)	annual burr sage
A. dumosa (C)	white burr sage
A. (=Hymenoclea) salsala (C)	cheesebush
Amsinckia menziesii (C)	fiddleneck
Amsinckia tessellata var. *tessellata* (C-roadside)	devil's lettuce
Astragalus acutirostris (O)	keel-beak
**Avena fatua* A-wash)	wild oat
**Brassica nigra* (A-wash)	black mustard
**Bromus diandrus* (O-wash)	ripgut
**Bromus madritensis ssp.. rubens* (A-wash)	red brome
**Bromus tectorum* (C-wash)	cheatgrass
Camissonia campestris ssp. *campestris* (O)	Mojave suncup
Caulanthus lasiophyllus	hairy-leaved
Centrostegia thurberi (R)	Thurber spiny-herb
C. micrantha (C)	purple-rooted forget-me-not
Cylindropuntia echinocarpa (R)	silver cholla
**Cynodon dactylon* (A-wash)	Bermuda grass
Datura wrightii (O-wash)	jimsonweed
Dichelostemma capitatum ssp. *capitatum* (R)	blue dicks
Elymus elymoides var. *brevifolius*(C; A-wash)	squirreltail grass
Eremalche exilis (O)	white mallow
Ericameria cooperi (C)	goldenbush
E. nauseosa (C)	rubber rabbitbrush
Eriogonum gracillimum	rose and white buckwheat
Eriophyllum wallacei (R)	Wallace's woolly daisy
**Erodium cicutarium*	redstem filaree
Eschschaltzia minutiflora	small-flowered gold-poppy
Euphorbia albomarginata (C)	rattlesnake weed
Gilia latiflora ssp. *daveyi* (R)	Davey's gilia
G. sinuata (O)	rosy gilia

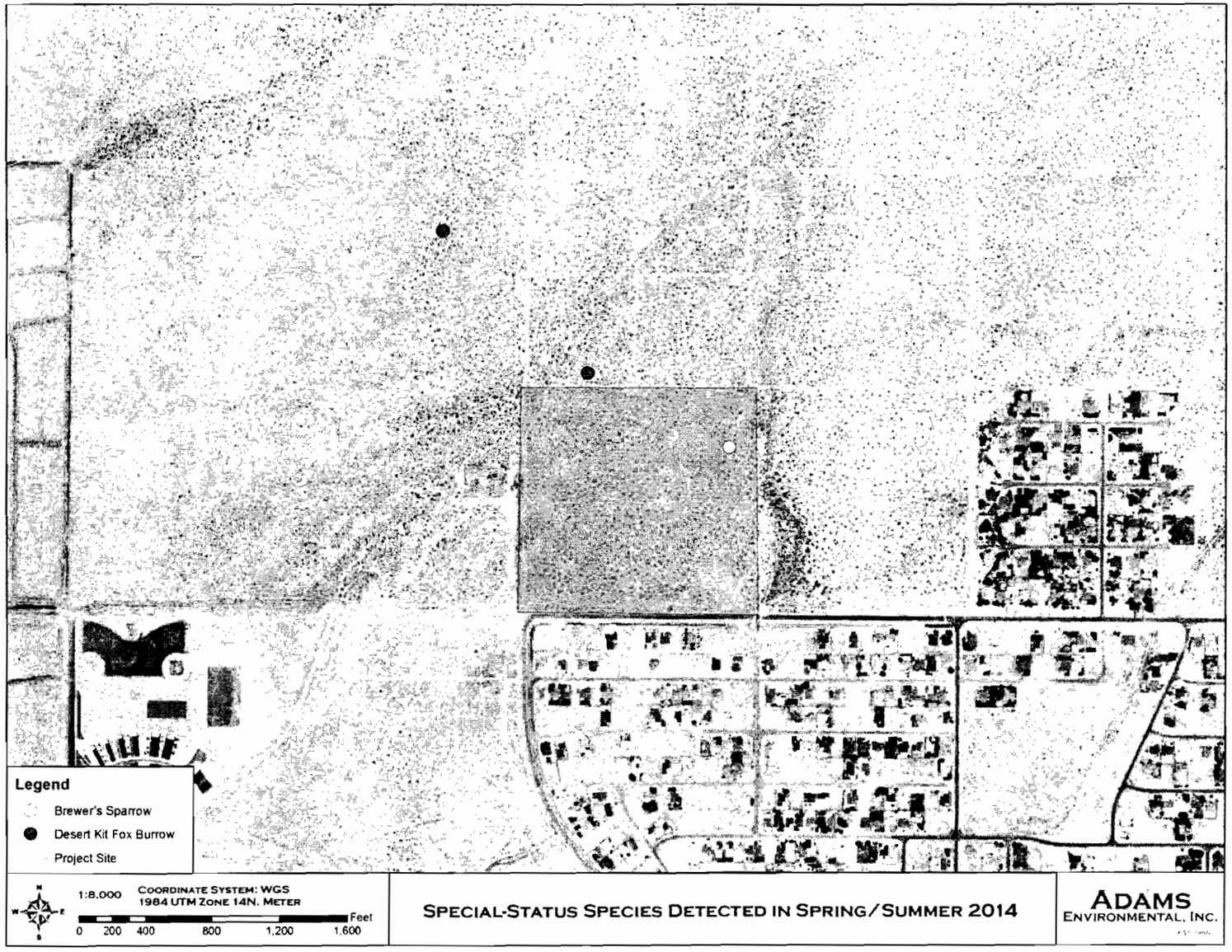
Wildlife and Plant Species Observed in the Project Survey Area during Spring-Summer 2014 Surveys	
Grayia spinosa (O)	spiny hopsage
**Hordeum murinum*	foxtail barley
Larrea tridentata (C)	creosote bush
Lasthenia gracilis (A)	common goldfields
Lepidium flavum (R)	peppergrass
L. lasciocarpum (R)	peppergrass
Lessingia glandulifera (R)	vinegarweed
Linanthus dichotomus (R)	evening snow
Lomatium mohavense (R)	lomatium
Lotus humistratus	lotus
Lycium andersonii (C)	Anderson's boxthorn
L. cooperi (C)	peach thorn
Malcothrix glabrata	desert dandelion
Mentzelia albicaulis (C)	white-stemmed blazing star
Mirabilis bigelovii (R)	wishbone bush
Oligomeris linifolia (R)	mignonette
Pectocarya linearis ssp. *ferocula* (A)	slender comb seed
P. penicillata (A)	sleeping combseed
**Salsola tragus (O)*	Russian thistle, tumbleweed
**Schismus barbatus* (A)	split grass, Mediterranean grass
**Sisymbrium irio* (C)	London rocket
**S. orientale* (O)	Oriental hedge mustard
Sphaeralcea ambigua (O)	desert globemallow
Stephanomeria pauciflora (C)	wire-lettuce
Stipa (=Oryzopsis) hymenoides (R)	sand grass
S. speciosa (R)	stipa
Tetradymia oxillaries (C)	cotton-thorn
T. stenolepis (C)	felt-thorn
Tetrapteron (= *Camissonia*) *palmeri*	Palmer primrose
Tropidocarpum gracile (R)	slender Keel Fruit
Xanthium strumarium (C-wash)	cockleburr

*Non-native

****Letter in parentheses indicates rarity: A-Abundant; C-Common; O-Occasional; R-Rare**

APPENDIX E

SPECIAL-STATUS SPECIES DETECTED IN SPRING/SUMMER 2014


Legend
Brewer's Sparrow
Desert Kit Fox Burrow
Project Site
1:8,000
Coordinate System: WGS 1984 UTM Zone 14N, Meter
Feet
0 200 400 800 1,200 1,600
Special-Status Species Detected in Spring/Summer 2014
Adams Environmental, Inc.

Special-status species data. Map numbers refer to sign in previous map.

Map Number	UTM NAD 83		Species		Sign Type	Comments
	E	N				
1	411686	3889741	Desert kit fox	*Vulpes macrotis*	Burrow	Active; single hole
2	0411945	3889485	Desert kit fox	*Vulpes macrotis*	Burrow	Inactive; single hole
3	0412200	3889350	Brewer's sparrow	*Spizella breweri*	Individual	Migrant

MOHAVE GROUND SQUIRREL CAMERA STUDY 2013

Report to California Department of Fish & Wildlife

Prepared by

Philip Leitner
Endangered Species Recovery Program
California State University, Stanislaus
One University Circle
Turlock, CA 95382

Prepared for

California Department of Fish & Wildlife
Inland Deserts Region
3602 Inland Empire Boulevard
Suite C-220
Ontario, CA 91764

May 30, 2014

Abstract

The state-listed Mohave ground squirrel (*Xerospermophilus mohavensis*) occupies a small geographic range in the western Mojave Desert of California. Because of the great interest in development of renewable energy in the California deserts, accurate data on the distribution and status of this species are essential for conservation planning. Recent studies have provided useful information on Mohave ground squirrel occurrence patterns in several parts of its range, but there is still a lack of data for other areas. In the spring of 2013, I used trail cameras to conduct surveys for Mohave ground squirrels at 7 sites in the vicinity of California City (Kern County). These camera-trapping sites were located on public lands managed by California Department of Fish and Wildlife and US Bureau of Land Management and also on private properties where access was permitted by the landowners. Mohave ground squirrels were detected at 4 of the 7 study sites, thus documenting the presence of the species at several widely-separated locations that had not been surveyed previously. Many earlier records were concentrated north of California City in the vicinity of the Desert Tortoise Research Natural Area, as well as to the southeast near North Edwards and Boron. However, when the results of this 2013 camera survey are combined with other recent Mohave ground squirrel detections it is clear that the species is widespread throughout the region to the south and east of California City. This conclusion is of great interest because it suggests that Mohave ground squirrel populations can persist in an area that has been impacted by livestock grazing and OHV recreation. It is recommended that a conservation linkage be preserved to ensure continuing gene flow between key populations at the Desert Tortoise Research Natural Area and Edwards Air Force Base.

Introduction

The Mohave ground squirrel (*Xerospermophilus mohavensis*) is listed as a Threatened species under the California Endangered Species Act. It is restricted to a relatively small geographic area in the western Mojave Desert of California. Because of the great potential for renewable energy development within its range, the Mohave ground squirrel (MGS) is of intense conservation interest. As a result, there is a critical need for current information on the distribution and status of this species.

During 2011 and 2012, an extensive study of MGS distribution was carried out using Reconyx® trail cameras (Leitner and Delaney 2014). A total of 123 study sites were randomly selected within 12 large blocks of habitat that covered a substantial portion of the geographic range of this species (Fig. 1). However, this investigation was carried out only on public lands managed by the US Bureau of Land Management, California Department of Fish and Game[1], and California State Parks. No sampling was conducted on private or military lands, which together make up two-thirds of the area within the MGS range.

[1] California Department of Fish and Wildlife since Jan. 1, 2013

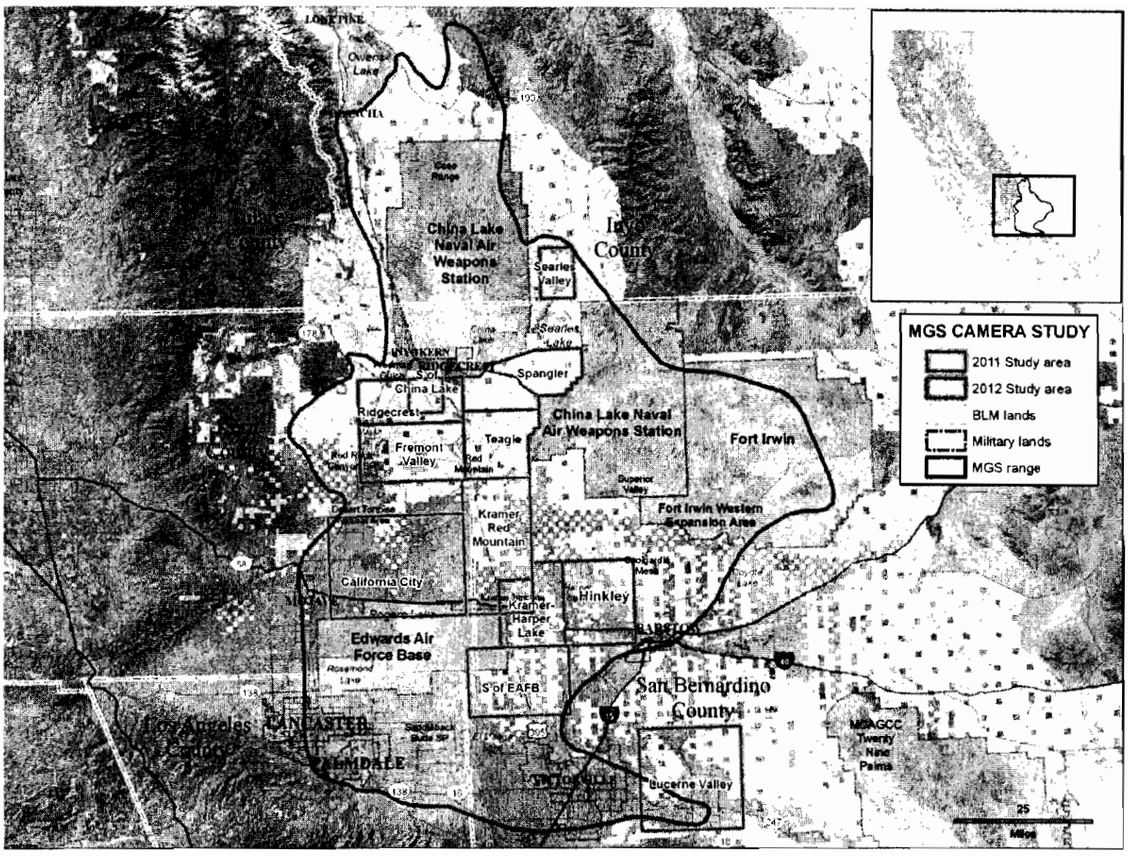


Figure 1. Locations of the 12 study areas used in the 2011-2012 camera study.

One of the camera study areas sampled in 2011 consisted of 1200 km^2 (463 mi^2) in eastern Kern County in the vicinity of California City. Because there is very little US Bureau of Land Management (BLM) or state land here, only a small portion of the California City study area was available to sample. Five of the 12 study sites were in the vicinity of the Desert Tortoise Research Natural Area (DTRNA), while others were widely scattered through the western and southern portions of the study area. The results of this survey confirmed the presence of MGS on four sections of public land adjacent to the DTRNA, as well as on a BLM parcel about 13 km (8 mi) to the southeast (Figure 2). Because much of the California City study area is relatively level with good solar radiation, it has significant potential for large-scale solar energy development. Therefore, an additional trail camera survey was undertaken in the spring of 2013 to clarify the status and distribution of MGS within a large area to the south and east of California City.

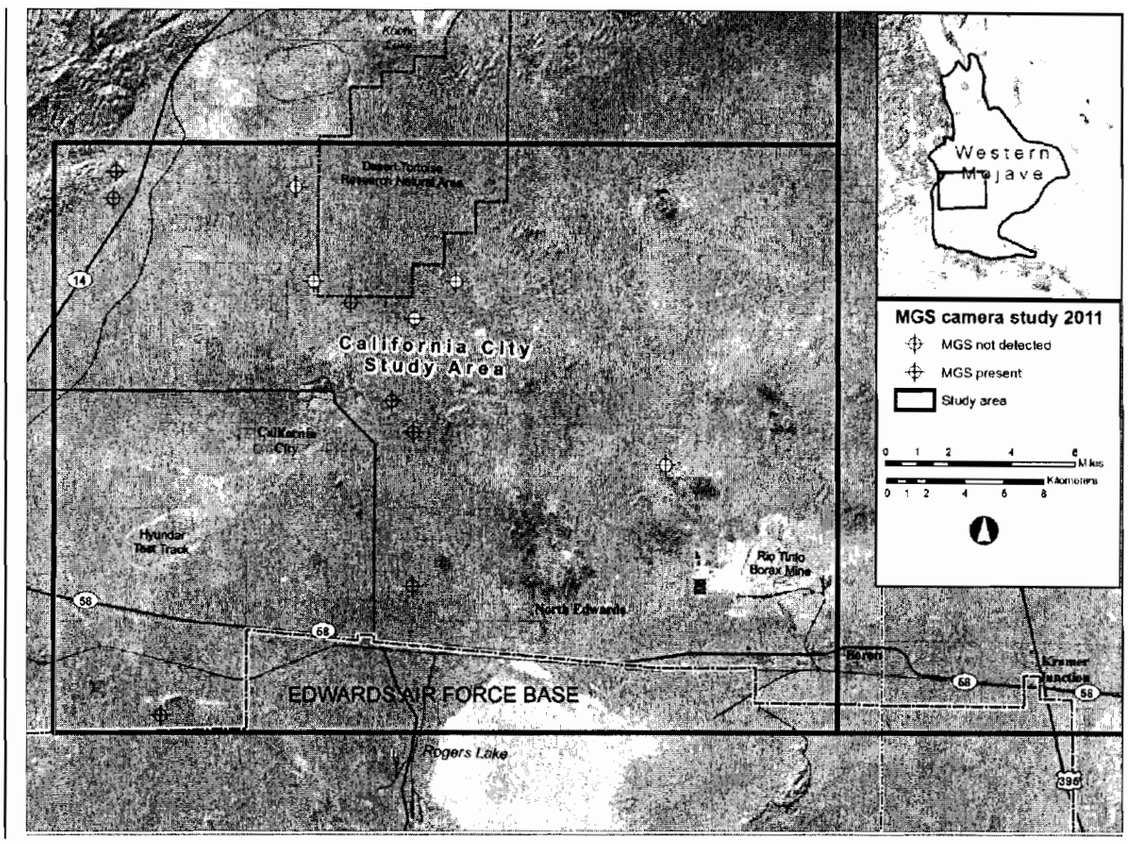


Figure 2. Map of the California City study area showing locations and survey results for the 2011 camera study.

Methods

Site Selection

Because of the lack of data for private lands in this region, letters requesting access were sent to the owners of 20 large parcels (≥160 acres). There were very few positive responses and as a result only 3 study sites were located on private lands. Four additional sites were then selected on public lands in order to sample additional areas of interest. Studies were conducted on 2 parcels managed by BLM and 2 sites on California Department of Fish and Wildlife (CDFW) conservation lands. Thus, study sites were selected in 2013 based upon availability of access, unlike the random site selection carried out during the 2011-2012 study. Appendix A provides the UTM coordinates of the sites and their legal descriptions.

Sampling Schedule

Camera trapping was carried out during the spring activity period of the MGS. Two sampling sessions were conducted at each site, the first during late March and the second from mid-April to mid-May (Table 1). Since 2013 was a non-reproductive year, it was important to complete the second session before adult MGS began to enter dormancy, which was expected to occur in late May and early June.

Table 1. Sampling schedule of 2013 camera study.

SITE NAME	SESSION 1	SESSION 2
Columbia Unit North	Mar 17-22	May 12-17
Columbia Unit South	Mar 17-22	May 12-17
BLM Section 24	Mar 18-22	Apr 15-19
BLM Section 32	Mar 18-22	Apr 15-19
Private Section 22	Mar 18-22	Apr 16-20
Private Section 30	Mar 25-29	May 12-17
Private Section 23	Mar 25-29	May 12-17

Operational Procedures

At each study site, camera stations were established at 10 locations. The camera stations were arranged in two parallel lines with five cameras each. The two lines of cameras were normally oriented east-west, with the exception of the site at BLM Section 24 where they followed a desert wash that trended northwest-southeast. At all sites the two lines were placed 150 m apart and camera stations within each line were separated by 150 m. The 150 m spacing was selected because it is similar to observed median values of maximum within-day distances moved by adult female MGS (Harris and Leitner 2004), thus increasing the likelihood of sampling a number of home ranges.

Cameras were usually operated from Monday through Friday, thus avoiding the weekends when there is often considerable recreational activity in the western Mojave Desert. Cameras were generally set up on Monday morning, allowed to operate 24 hr/day, and taken down on Friday afternoon. At study sites where the likelihood of theft or vandalism was considered minimal, cameras were sometimes set up on Sunday or taken down on Saturday. At each station, a 1.5 m steel post was driven into the ground at a slight angle and a Reconyx® trail camera was attached. Bait consisting of mixed grains (barley, oats, and corn) plus peanut butter was placed in front of each camera when it was first installed. On subsequent mornings, a member of the study team visited each camera station to replace bait and check camera battery condition. Cameras were serviced at or before dawn so that the camera station was fully functional before MGS became active.

On the afternoon of the last day in each session, SD cards with stored images were removed from the cameras and labeled. Then images were down-loaded in duplicate and stored on two external hard drives. Images were examined by members of the study team and wildlife data were entered on Excel

spreadsheets. Wildlife images were classified by species and the date and time of visitation were recorded. Information regarding intra- and inter-specific behavioral interactions was noted as well.

Results

Mohave ground squirrels were detected at 4 of the 7 study sites that were sampled in 2013 (Figure 3). The MGS occurrences were widely distributed across the study area. The species was detected on Private Section 22 approximately 11 km (7 mi) to the south of California City, on BLM Section 24 about 10 km (6 mi) to the east, Private Section 23 over 24 km (15 mi) east, and at the Fremont Valley Ecological Reserve about 22 km (14 mi) to the northeast. These results suggest that MGS are present throughout much of the region to the south and east of California City.

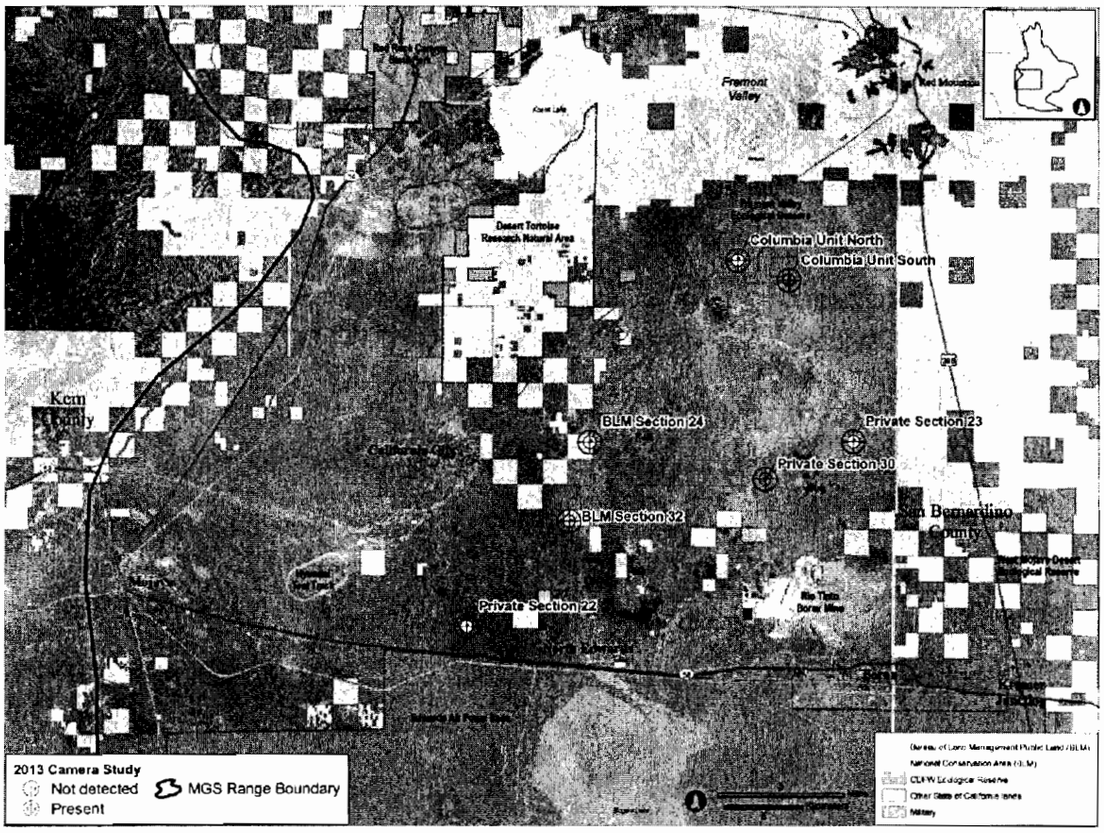


Figure 3. Map of the California City study area showing locations and survey results for the 2013 camera study.

Columbia Unit North

This study site was located in the northern portion of the Columbia Unit of the Fremont Valley Ecological Reserve, a conservation area managed by the CDFW. The vegetation here consisted of low diversity Creosote Bush Scrub. There were MGS detections at two of the camera stations here during the second camera session. These detections probably involved the same individual, since there were no temporal

overlaps in camera visits. Much of the diurnal activity recorded at the cameras consisted of visits by white-tailed antelope squirrels (*Ammospermophilus leucurus*) and common ravens (*Corvus corax*). Nocturnal activity was dominated by kangaroo rats (*Dipodomys* sp.), with occasional records of kit foxes (*Vulpes macrotis*) and black-tailed jack rabbits (*Lepus californicus*). There was a single visit by an American badger (*Taxidea taxus*) during the second camera session.

Columbia Unit South

The vegetation community at this site was low diversity Creosote Bush Scrub, very similar to that at Columbia Unit North. There were no MGS detections at this site. The wildlife species recorded here included white-tailed antelope squirrels and common ravens during the day, with kangaroo rats and kit foxes active at night. An American badger and a coyote (*Canis latrans*) were recorded here in May.

BLM Section 24

Much of the western portion of this section of BLM land receives heavy usage as an OHV campsite and is barren of vegetation. Ten trail cameras were placed opportunistically in the northeastern portion of the parcel along a desert wash. Vegetation here was dominated by creosote bush (*Larrea tridentata*), Cooper's boxthorn (*Lycium cooperi*), and white bursage (*Ambrosia dumosa*). There were numerous active OHV tracks crossing the wash. MGS activity was regularly recorded at one of the trail cameras here during Mar 19-22 and again on April 16. Other wildlife detections included white-tailed antelope squirrels, common ravens, kangaroo rats, and kit foxes. A significant number of American badger records were documented at 5 camera stations here during the April camera-trapping session.

BLM Section 32

This section of BLM land supports low diversity Creosote Bush Scrub. Several dirt bike tracks cross the study area. No MGS activity was recorded. The wildlife species photographed here included white-tailed antelope squirrels, common ravens, kangaroo rats, and kit foxes. There was a single detection of a coyote here during the second camera session.

Private Section 22

This study site is located about 11 km (7 mi) south of California City and just north of State Route 58. The vegetation is relatively diverse Creosote Bush Scrub with several shallow washes that support Cooper's boxthorn. Regular MGS activity was recorded at one of the camera stations from Mar. 19-22 and again at 2 adjoining camera stations during the period Apr. 16-20. It is not clear whether the same individual was detected in both sampling sessions. Diurnal species recorded here were white-tailed antelope squirrels and common ravens, while kangaroo rats and kit foxes occurred regularly at night.

Private Section 30

This privately-owned parcel is about 11 km (7 mi) northwest of Boron. The vegetation community here is low diversity Creosote Bush Scrub. There was no record of MGS at this study site in either sampling session. Common ravens and white-tailed antelope squirrels were recorded at all camera stations. Nocturnal observations were dominated by kangaroo rats and black-tailed jack rabbits, with kit fox detected regularly. There was an unusual series of American badger detections at several camera stations here in March.

Private Section 23

This site is located about 13 km (8 mi) north of Boron and supports a relatively diverse shrub community. Important shrub species include white bursage, cheesebush (*Ambrosia salsola*), winterfat (*Krascheninnikovia lanata*) and spiny hopsage (*Grayia spinosa*), as well as creosote bush. An MGS was detected at a single camera station here in May. White-tailed antelope squirrel activity was unusually low here. Ravens made up most of the diurnal records, with kangaroo rats and black-tailed jack rabbits commonly observed at night. There was nocturnal kit fox activity and at one camera station a bobcat (*Lynx rufus*) appeared briefly in March.

Discussion and Recommendations

The status of the MGS in the California City study area has been poorly understood, primarily because most of the land here is in private ownership and it has been difficult to carry out systematic field surveys. The first records of the species in this area date back only about 40 years, with 4 detections recorded during the period 1973-1975. Nine more occurrences are listed in the California Natural Diversity Data Base (CNDDB) for the period from 1980 through 2000. Six of these records were concentrated in the vicinity of Boron and North Edwards, while 5 were located to the north of California City on or near the DTRNA. Two visual observations of MGS were reported about 16 km (10 mi) to the west of California City near the intersection of SR 58 and SR 14. The locations of these early MGS occurrences are shown in Figure 4.

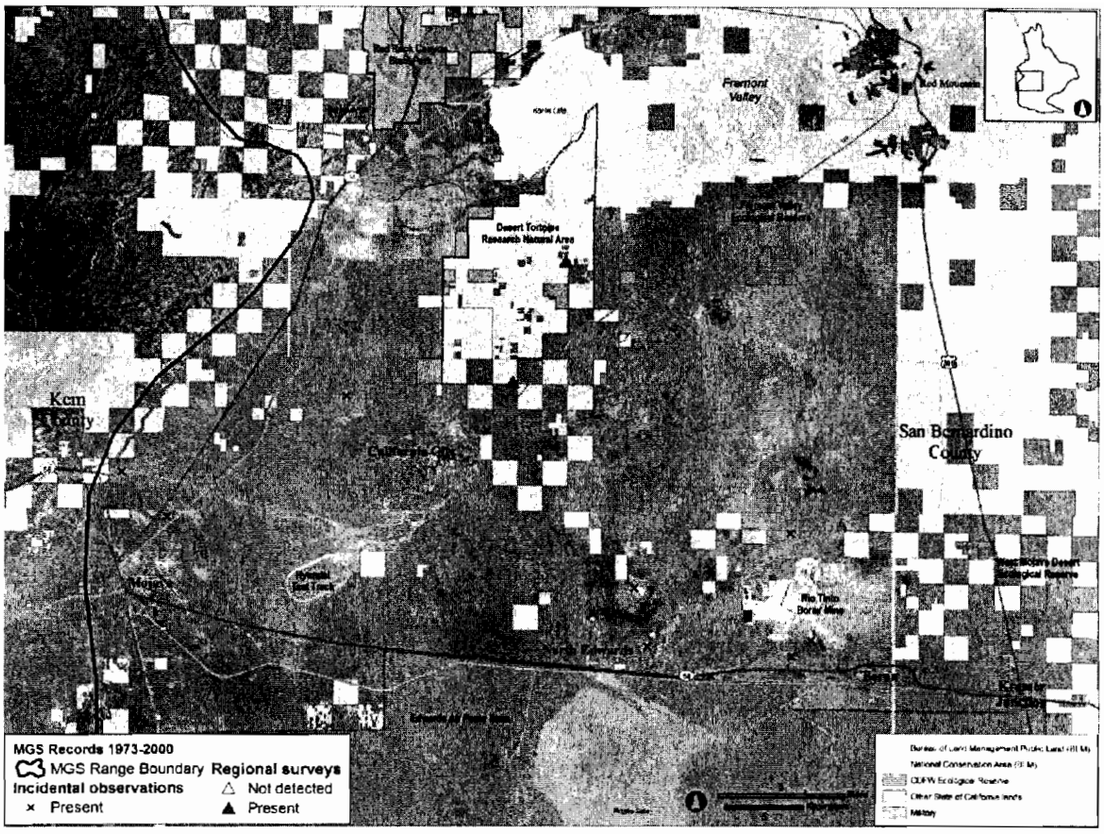


Figure 4. Map of the California City study area showing locations of MGS records for the period 1973-2000.

From 2001 to 2012, there were a number of trapping efforts from California City southwest to the vicinity of the town of Mojave. The intensive protocol trapping related to proposed wind and solar projects in the vicinity of Mojave failed to detect MGS. A single MGS was observed and then captured near the site of the Hyundai test track in 2002, but subsequent trapping efforts in this area failed to capture any other specimens. Two significant visual detections were reported in 2008 and 2010 about 8 km (5 mi) southeast of California City, an area previously lacking any MGS records. However, with these exceptions, almost all MGS observations during this period were concentrated around the DTRNA and between North Edwards and Boron (Figure 5).

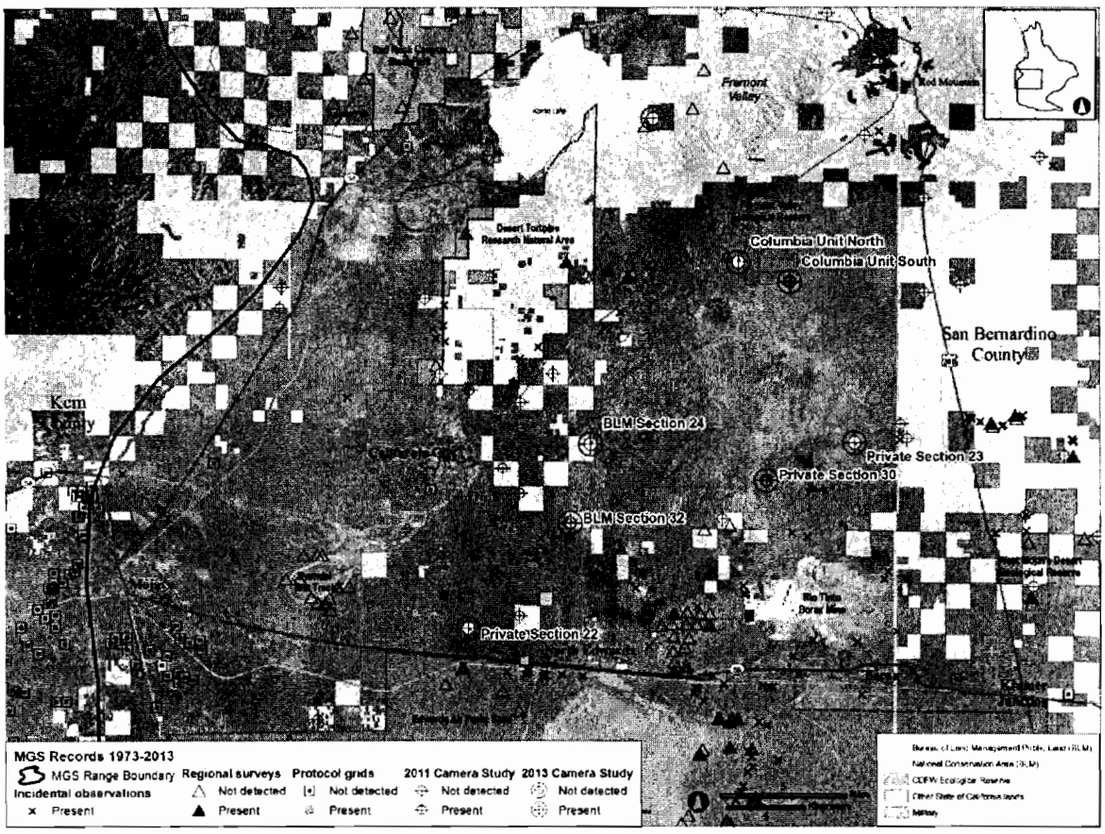


Figure 5. Map of the California City study area showing locations of MGS records for the period 1973-2013.

The 2011 camera study within the California City study area was limited to 11 widely scattered parcels of BLM land plus an additional site on CDFW property (Figures 2 and 5). Almost all MGS camera detections were in the vicinity of the DTRNA, which was consistent with a large number of trail camera and visual detections there in May-June 2011 by staff of the Desert Tortoise Preserve Committee, Inc. (M. Logan, pers. comm.). The only MGS recorded during 2011 outside the region of the DTRNA was a probable dispersing juvenile at a camera site in the southeastern portion of the California City study area.

However, the 2013 camera study has now provided evidence that MGS occur over a wide area to the south and east of California City (Figure 5). The record from Private Section 22, in combination with a series of recent detections along SR 58 west of North Edwards, demonstrates the presence of the species in this region. The MGS record at BLM Section 24 east of California City, plus the 2 recent visual detections to the southeast of California City, indicate that the potential linkage between North Edwards and the DTRNA is occupied as well. The camera record at Private Section 23 helps to fill in a gap between a 2011 camera detection about 10 km (6 mi) to the southwest and other MGS occurrences to the east. Finally, documentation of MGS at the Columbia Unit North site confirms that the area occupied by the DTRNA population extends well to the east. Although there is still much private land east of California City that has not been surveyed, juvenile MGS dispersing from any of these newly-discovered locations could colonize almost any portion of this yet unsurveyed area (Harris and Leitner

2005). Thus, there is good reason to conclude that the entire area to the east and south of California City is occupied by MGS.

There is still little information about the status of the species in the large expanse between California City and the foothills of the Tehachapi Mountains just to the west of SR 14. There were 2 visual observations in 1987 and 1998 just north of Mojave, but no more recent detections in spite of protocol trapping efforts in this region. Although an adult male MGS was captured at the Hyundai test track in 2002, additional trapping has produced no more records here. We did not detect the species at the 3 camera sites in that area in 2011 (Leitner and Delaney 2014). It seems unlikely that there is a significant MGS population in this region, but there are BLM parcels here that have never been surveyed. I would recommend additional surveys at 5-10 sites to collect definitive data on MGS occurrence here. The alternative would be to simply assume on the basis of existing information that this region is not important for MGS conservation.

Since there is now convincing evidence that the potential linkage between EAFB and the DTRNA is actually occupied by MGS, conservation of lands in this area should be a priority. It is crucial to keep this corridor open for MGS dispersal and gene flow between these 2 key population centers. I strongly recommend that CDFW, BLM, and other agencies develop a practical plan to ensure the preservation of this linkage. Protection of this corridor would provide benefits for many other desert wildlife species, including the Mojave desert tortoise (*Gopherus agassizii*).

Acknowledgements

Funding for this project was provided by CDFW Inland Deserts Region. I would like to thank A. Ellsworth and R. Logsdon of CDFW for their support and encouragement. F. Cannizzo and L. Marquez provided invaluable help with data collection and analysis. I am very grateful to private landowners, US BLM, and CDFW for granting access to study sites. Finally, this study could not have been conducted without the generous loan of trail cameras by D. Delaney of the US Army Corps of Engineers ERDC/CERL.

Literature Cited

Harris, J.H. and P. Leitner. 2004. Home-range size and use of space by adult Mohave ground squirrels, *Spermophilus mohavensis*. Journal of Mammalogy 85:517-523.

Harris, J.H. and P. Leitner. 2005. Long-distance movements of juvenile Mohave ground squirrels, *Spermophilus mohavensis*. Southwestern Naturalist 50:188-196.

Leitner, P. 2008. Current status of the Mohave ground squirrel. Transactions of the Western Section of The Wildlife Society 44:11-29.

Leitner, P. 2012. Monitoring Mohave Ground Squirrel Populations in the Coso Region, 2012. Report prepared for California Department of Fish & Game, Inland Deserts Region, Ontario, CA. 15 pp. plus appendices.

Leitner, P. and D.K. Delaney. 2014. Mohave Ground Squirrel Camera Study. Draft Report prepared for California Department of Fish and Wildlife. 10 pp.

Leitner, P. and B.M. Leitner. 1998. Coso Grazing Exclosure Monitoring Study. Mohave ground squirrel study, Coso Known Geothermal Resource Area, major findings, 1988-1996. Final Report. Prepared for CalEnergy Company, Inc., Ridgecrest, CA. 42 pp. plus appendix.

APPENDIX A

LOCATIONS OF 2013 CAMERA STUDY SITES

SITE NAME	UTM COORDINATES[1]		LEGAL DESCRIPTION[2]		
	EASTING	NORTHING	SECTION	TOWNSHIP	RANGE
Columbia Unit North	0432350	3900125	SE ¼ Section 12	31 South	39 East
Columbia Unit South	0435600	3898825	SE ¼ Section 17	31 South	40 East
BLM Section 24	0422900	3888475	NE ¼ Section 24	32 South	38 East
BLM Section 32	0421600	3883425	SW ¼ Section 32	12 North	9 West
Private Section 22	0415050	3876725	SE ¼ Section 22	11 North	10 West
Private Section 30	0434100	3886125	SE ¼ Section 30	32 South	40 East
Private Section 23	0439700	3888525	NW ¼ Section 23	32 South	40 East

[1] North American Datum 1983

[2] BLM Section 32 and Private Section 22 are on San Bernardino Baseline & Meridian; all other sites are on Mount Diablo Baseline & Meridian

CUP 15-01 12/15/14

DATE April 4, 2014 CASE NO. SDR 14-16
(Issued by Planning Dept.)

CITY OF CALIFORNIA CITY
PLANNING DEPARTMENT
CONCEPT PLAN/SITE PLAN
FOR STAFF DEVELOPMENT REVIEW (SDR)
APPLICATION CHECK LIST

SDR MEETINGS ARE REQUIRED FOR: Conditional Use Permit, Conditional Use Permit-Amendment, Zone Change, General Plan Amendment, Tentative Tract Map, Parcel Map, Large Apartment Complex (4 or more units).

N/A **Bonding: In some instances a Subdivision Improvements Performance Bond and/or a Subdivision Improvements Labor and Material Bond will be required as a condition of approval.**

X 1. Checklist, completed application form and application fee of $750.00.
- X a. **SDR Checklist must be returned with application.**
- X b. SDR Meetings scheduled 2nd and 4th Tuesday of each month.
- X c. SDR Meetings are held in the morning in the Council Chambers at City Hall beginning at 10:30 a.m., applicant and/or their representative or agent will be notified of date and time to attend.

X 2. Copy of current Warranty Deed to the property to verify Fee Title ownership and to provide legal description. A Tentative Title Report may be substituted, not more than 30 days old. **(Lease Agreement)**

X 3. Copy of the assessor parcel map. Available at the California City Planning Department. The cost is 25 cents per page or visit online at http://www.kerndata.com - you will be able to print a copy of the assessor parcel map with an assessor parcel number (APN).

X 4. Legal description of the outer boundary of the entire proposed development.

N/A 5. **City staff completes as needed**, the Planning Department will submit a property owner's list with Assessor Parcel Numbers of all adjacent property owners within 300 feet, showing the owners property parcel ID number, name and mailing address.

N/A 6. Proposed changes to existing zoning district boundaries, if such will be needed.

X 7. Concept Plan/ Site Plan Map: Applicant should contact a Civil Engineer or Licensed Land Surveyor to prepare detailed maps requiring engineer's stamp. **Interior floor plan see the included sample on page *41.** Ten (10) copies of the project concept plan/site plan, drawn to scale of not more than 1" =100' and ten (10) reductions on 11x17-inch paper, showing the following and one (1) copy 8 ½ x 11-inch paper showing the following.
- X a. Proposed name of subdivision, apartment complex, commercial or manufactured business.
- X b. Name of property if no name has been chosen. (This is commonly the name in which the property is locally known).
- c. Locations and ownership of all adjacent tracts of land.
- X d. A vicinity plan showing location of property and all existing significant features within or adjacent to the property.
- N/A e. In developing City Traffic Impact Analysis Guidelines, Caltrans' Traffic Impact Study Guidelines may be of use. See: http://www/dot/ca/gov/hq/tpp/offices/ocp/tisguide.pdf
- N/A f. The air quality impacts posed by a particular project cannot be determined solely by the City of California City. Each project shall be judged individually for its potential for significant impacts, based on specific circumstances and evidence presented in the CEQA document for that particular project.

CUP 15-01 12/15/14

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APPLICATION CHECK LIST

X g. Locations and widths of existing and proposed streets.
N/A h. Configuration of proposed lots with minimum and average lot sizes.
N/A i. Approximate locations, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use.
X j. Proposed future drainage scheme.
X k. Those portions of property designated as Flood Plain and slopes in excess of 30%.
X l. Total acreage of the entire tract proposed for subdivision or project.
X m. General topography.
X n. North arrow, scale, date of drawing.
X o. Property boundary with dimensions.
X p. Must adhere to public utility easements (PUE).

X 8. Developer's plan regarding California Environmental Quality Act (CEQA).

N/A 9. New development proposals having more than 50 housing units or 50,000 square feet of commercial or industrial floor space shall prepare a Child Care Facilities Needs Assessment.

N/A 10. Developer's plan Redevelopment Agency (RDA) participation in the project, if applicable.

X 11. Nearest fire hydrant _____ ft., picture required. Developer may be required to pay for andnstallation of a commercial steamer fire hydrant, capable of servicing a large apartment complex (4 or more units), commercial, industrial, tentative or parcel map subdivisions.

X 12. Developer to install curb, gutter, sidewalks in front of their property only.

X 13. Developer to install sewer or request to defer (form included).

X 14. A biota study is required for all projects on desert vacant land by contacting a wildlife biologist. Provide a copy with this SDR packet.

X 15. Developer to control dust during grading and construction.

X 16. Pictures of the site is required, standing on the lot, a picture facing north, east, south, and west.

X 17. Projects disturbing one (1) acre of land or greater by grading, **Waste Discharge ID (WDID) PERMIT**:
X a. Applicant completes and obtains signature and stamps as required from Kern County Engineering and Survey Services Department (ESS) and Registered Professional Engineer, prior to turning in the form with the completed SDR Application, see Kern County link for Applicability of NPDES Storm Water form: http://www.co.kern.ca.us/bid/pdfs/npdes-1-acre-applic.pdf Applicant completes Items I through IV on page 1 of the form. Items V and VI (page 2): Item V to be verified by ESS prior to issuance of the permit and Item VI Certification by a Registered Professional Engineer must include engineer's signature and stamp.
_____ b. Applicant to have completed by Registered Professional Engineer Designer Certification (Grading) form: http://www.co.kern.ca.us/bid/pdfs/form222r2.pdf

SDRPKT011514.wpd

CUP 15-01 12/15/14

DATE **September 23, 2014**

CASE NO. SDR 14-16
(Issued by Planning Dept.)

CITY OF CALIFORNIA CITY PLANNING DEPARTMENT
21000 Hacienda Boulevard, California City, CA 93505-2293
(760) 373-7141, Fax (760) 373-7529,email: Planning2@CaliforniaCity.com

1. **APPLICATION FORM**: Mark the one that best describes your project, **DO NOT USE THIS FORM FOR LARGE DAY CARE APPLICATION OR FILM PERMIT - SEE SEPARATE APPLICATION FORM**, if not listed, and is not large day care or film permit, use other. **BROCHURES AVAILABLE**. **(Please use ink or typewriter)**.

X	SDR 14-16		Variance (Minor)		Final Tract Map		Lot Line Adjustment
	Site Plan		Variance		Parcel Map		Parcel Map Waiver
	Concept		Zone Change		Parcel Map Amnd		Certificate of Compliance
	Re-Review		General Plan Amnd		Parcel Map Ext		Annexation/Detachment
X	CUP 15-01		Tract Map		Lot Merger		Planned Unit Development
	CUP Amnd		Tract Map Amnd/Ext		Unmerger		Other

2. Applicant's Name and Address: Bolthouse Solar I, LLC, Bolthouse Solar II, LLC
1802 Lavaca St., Suite 200, Austin, TX 78701

3. Address of Subject Property: Vacant Land - Northeast Corner of Mendiburu Road and Hacienda Blvd.

4. Lot #_____ Tract #_____ Parcel #_____ or Section 13 Township 32 Range 37 MDB&M

5. Assessor's Parcel Number 302-260-12 Present Zone: O/RA (Open Space/Residential Agriculture)

6. Date of Purchase: Lease on 1/1/14 Existing Land Use of the Property: Vacant /Undeveloped

I (we), the undersigned, hereby certify that I am (we are) the owner(s) of the property described in this application, or that I am the authorized agent of See Owner's authorization letter under Bolthouse Solar's Project Description Exhibit B
(Owner's name and address)
the undersigned owner of said property, and that this application, to the best of my (our) knowledge and belief, is true and correct. Executed under penalty of perjury this 21st day of August, 2014.

See Landowner's Authorization
Signature - Owner
Telephone No.: _____

Bolthouse Solar I+II, LLC
By: [signature]
Signature - Applicant
Telephone No.: 512 351 3363

PLANNING DEPARTMENT USE ONLY

FILING FEE: $ 750.00 (SDR) RECEIVED BY: Rg DATE: 10/28/14 RECEIPT NO.: 1.055166 pd.

PLANNING COMMISSION ACTION: _____ APPROVED _____ DENIED DATE: _____ VOTE: _____

CITY COUNCIL ACTION: _____ APPROVED _____ DENIED DATE _____ VOTE: _____

Fee: $770.00 (CUP) Rg recd 1 of 2 pages *25 12/15/14 date 1.058142 City receipt # pd.

SDRPKT011514.wpd

CUP 15-01 12/15/14

DATE **September 23, 2014** CASE NO. SDR 14-16
(Issued by Planning Dept.)

CITY OF CALIFORNIA CITY PLANNING DEPARTMENT
21000 Hacienda Boulevard, California City, CA 93505-2293
Phone (760) 373-7141, Fax (760) 373-7529, email: Planning2@CaliforniaCity.com

APPLICATION FORM: Mark the one that best describes your project, **DO NOT USE THIS FORM FOR LARGE DAY CARE APPLICATION OR FILM PERMIT- SEE SEPARATE APPLICATION FORM,** if not listed, and is not Large Day Care or Film Permit, use other. **(Please use ink or typewriter)**.

X **SDR (Concept or Site Plan) REVIEW OR RE-REVIEW**: All projects require a site plan review by the Staff Development Review (SDR), unless otherwise stated. Describe the project in detail: Development of two photovoltaic ("PV") solar energy generation facilities, and a grid-scale battery storage facility

X **CONDITIONAL USE PERMIT OR AN AMENDMENT**: State fully the precise circumstances or conditions applicable to the land, structure, or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right, together with any other data pertinent to the findings prerequisite to the granting of a conditional use permit or an amendment: Proposed Solar Photovoltaic Power generation project would take advantage of California City's excellent solar resource to produce carbon-free solar power, while creating employment opportunities in the area.

____ **VARIANCE OR MINOR VARIANCE**: State fully the practical difficulty ore unnecessary physical hardship inconsistent with the objectives of the zoning ordinance which would result from a strict or literal interpretation and enforcement of a specified provision of the California City Municipal Code, together with any other data pertinent to the findings prerequisite to the granting of a variance: _____

____ **ZONE CHANGE AND/OR GENERAL PLAN AMENDMENT**: Request change from _____ to _____ on subject property for the following reasons: _____

____ **TRACT OR PARCEL MAP**: Describe the type of map and the details, such as, location, the number of lots, size of lots, infrastructure requirements, the intended use of the property, i.e. residential, commercial, industrial, etc., and give the Tract or Parcel Map number: _____

____ **LOT MERGER, UNMERGER, LOT LINE ADJUSTMENT OR PARCEL MAP WAIVER**: Describe the reason for the request: _____

____ **OTHER**: Describe the project in detail and identify the type of project, such as a conceptual review only, certificate of compliance only, annexation/detachment, etc: _____

SDRPKT011514.wpd

CUP 15-01 12/15/14

DATE **September 23, 2014** CASE NO. SDR 14-16
(Issued by Planning Dept.)

CITY OF CALIFORNIA CITY PLANNING DEPARTMENT
21000 Hacienda Boulevard, California City, CA 93505-2293
Phone (760) 373-7141, Fax (760) 373-7529
email: Planning2@CaliforniaCity.com

APPLICANT'S INITIAL STUDY
INITIAL STUDY MUST ACCOMPANY APPLICATION

1. PROJECT TITLE: **Bolthouse Solar I & Bolthouse Solar II**

2. LEGAL DESCRIPTION: The Southwest 1/4 of the Southwest 1/4 of Section 13 in Township 32S, Range 37E, Mount Diablo Base and Meridian, in California City, CA.

3. PROJECT DESCRIPTION: When fully developed, the Bolthouse Solar I Project will produce up to 5 megawatts ("MW") of clean solar power; the Boalthouse Solar II Project will produce up to 5 MW of solar power and up to 10 MW, 4 hour storage to the grid. (See Project Description)

4. IDENTIFICATION OF ENVIRONMENTAL SETTING: The proposed project parcel consists of previously disturbed vacant fallow land. Existing land uses surrounding the project site consist of vacant previously disturbed fallow land. An electric substation is located immediately adjacent to the west of the proposed project parcel. A residential subdivision is located south of the site, across Mendiburu Road.

5. IDENTIFICATION OF ENVIRONMENTAL EFFECTS: The only anticipated significant Environmental Effect is impact to potential Desert Tortoise and Mojave Ground Squirrel foraging habitat. Biological surveys indicate no suitable habitat for either species.

6. MITIGATION OF SIGNIFICANT EFFECTS: Applicant proposes to provide compensatory land for conservation easements for mitigation of potential habitat impacts. This project requires a Mitigated Negative Declaration (MND) 30-day review period w/State Clearinghouse.

7. ZONING AND GENERAL PLAN: O/RA (Open Space/Residential Agriculture)

8. NAME OF PERSON PREPARING INITIAL STUDY: ✓Ronna Greene, ✓Andy Atiyeh
Consultant for Patrick Buckley, Development Manager for Pioneer Green Energy (PGE).

SDRPKT011514.wpd

CUP 15-01 12/15/14

DATE **September 23, 2014** CASE NO. SDR 14-16
(Issued by Planning Dept.)

CITY OF CALIFORNIA CITY PLANNING DEPARTMENT
21000 Hacienda Boulevard, California City, CA 93505-2293
Phone (760) 373-7141, Fax (760) 373-7529
email: Planning2@CaliforniaCity.com

APPLICANT'S ENVIRONMENTAL INFORMATION FORM
(TO BE COMPLETED BY THE APPLICANT)
ENVIRONMENTAL INFORMATION FORM MUST ACCOMPANY APPLICATION

GENERAL INFORMATION

1. Name and address of developer or project sponsor: Bolthouse Solar I, LLC; Bolthouse Solar II, LLC
1802 Lavaca Street, Suite 200, Austin, Texas 78701

2. Address of Project: Vacant Land at the corner of Mendiburu Road and Hacienda Blvd.

3. Assessor's Parcel Number, Tract or Parcel Map Number, Lot Number, Section, Township, Range, Base and Meridian: APN 302-260-12 is a 40 acre site is in the southwest quarter of Section 13 of Township 32 South, Range 37 East of the Mount Diablo Meridian.

4. Name, address, and telephone number of person to be contacted concerning this project: Andy Atiyeh
A2 Cosulting, LLC| 30 Galeana, Suite 100, Foothill Ranch, CA 92610| Phone 949-309-7877| Fax 949-830-2621
andy@a2ccorp.com

5. Indicate number of the permit application for the project to which this form pertains: Two (2) Conditional Use Permits

6. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: WDID Permit, business license, fire inspection, CDFW permits, PPA, etc.

7. Existing zoning district and general plan designation: Open Space/Residential Agriculture (O/RA)

8. Proposed use of site (project for which this form is filed): Two (2) Solar PVgeneration facilities and an Energy Storage facility

PROJECT DESCRIPTION: (Use separate pages and describe each item in detail. If not applicable, indicate item number and N/A.).

9. Describe the land as it exists today. (Example: Desert vacant land.) Previously disturbed, vacant, and fallow land

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10. Site size: 40 acres

11. Site square footage: 1,742,400 sq ft

12. Describe building: Ground-mounted mono-pole solar PV panel systems and battery storage system
    a. Existing or New Construction: New
    b. Building size:
    c. Building square footage:
    d. Number of floors of construction:

13. Describe any additional buildings:
    a. Existing or New Construction:
    b. Building size:
    c. Building square footage:
    d. Number of floors of construction:

14. Proposed scheduling for completion: Construction expected to start in 2015, and proceed in phases based on delivery requirements of the Power Purchase Agreement(s).

15. Associated projects: 2
    a. Number of phases: 2 phases: Up to 5 MW of solar power in Phase I. Up to 5 MW of solar power & 10 MW, 4 hour storage in Phase II
    b. Anticipated completion dates:
    c. The number of lots created by each phase:
    d. Zoning anticipated for each phase or lots: Unchanged (O/RA)

16. Total amount of off-street parking provided: None - Operation and Maintenance Vehicles will park onsite
    Show the breakdown in a, b, c.
    a. How many standard parking spaces at 9'x19':
    b. How many, compact parking spaces at fifteen feet in length and seven and one-half feet in width, not to exceed 30%of the total required parking spaces:
    c. How many handicapped spaces at one for each fifty parking spaces:

17. If residential project, include the number of units, schedule of unit sizes, if apartments, for rent or lease only:
Solar projects are allowed in O/RA (Open Space/Residential Agricultural) with CUP.

18. If commercial, indicate the type, whether neighborhood, city or regionally oriented: N/A

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19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: N/A

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required: Land is currently zoned O/RA. Solar Power Production is allowed in this zoning with a Conditional Use Permit

21. Submitting plans: Answer YES or NO, IF NO EXPLAIN WHY?
Yes Attach ten (10) sets of plans, size 11" x 17"
Yes Attach one (1) set of plans, size 8.5" x 11"

If NO, explain why?

Are the following items applicable to the project or it effects? Discuss below all items checked YES. (Attach additional sheets as necessary)

	YES	NO	N/A
22. Change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours?		X	
23. Change in scenic views or vistas from existing residential areas or public lands or roads?		X	
24. Change in pattern, scale or character of general area of project?		X	
25. Significant amounts of solid waste or litter?		X	
26. Change in dust, ash, smoke, fumes or odors in vicinity?		X	
27. Change in ocean, bay, lake, stream or groundwater quality or quantity, or alteration of existing drainage patterns?		X	
28. Substantial change in existing noise or vibration levels in the vicinity?		X	

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	YES	NO	N/A
29. Site on filled land or on slope of 10% or more?	___	X	___
30. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives?	___	X	___
31. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)?	___	X	___
32. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.)?	___	X	___
33. Relationship to a larger project or series of projects?	___	X	___

ENVIRONMENTAL SETTING

34. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted. Site is 40 acres of previously disturbed, vacant, flat, and fallow land. There are some non-native weed species on the site. Access to the site is from Mendiburu Road or Hacienda Blvd. **The Cal City Substation is located immediately adjacent to the west of project parcel. Biota surveys have been conducted to determine potential for habitat.** Presence of cutural resources is unlikely due to the disturbed nature of the site. There are no scenic qualitites to the site or the area, therefore no visual impacts. (see attached Project Description and Photographs).

35. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted. Site is located on the northest corner of the intersection of Mendiburu Road and Hacienda Blvd. Mendiburu Road tavels East-West and is improved east of Hacienda Blvd, but does not continue west of Hacienda. Hacienda Blvd travels South-North, and is imporved south of Mendibura but does not continue north of Mendiburu. Surrounding parcels are previously deisturbed vacant fallow land. A single family home residential community is located south of the site. (See attached Project Description and Photgraphs).

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CERTIFICATION:

I hereby certify that the statements furnished herein and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: 10/28/14 Signature: _____

City Receipt No: 1.055166 Title: President and Principal

Fee Collected: $ 750.00 (SDR) Firm: A2 Consulting, LLC

Fee: $ 770.00 (CUP)
Date: 12/15/14
City: 1.058142
Receipt

SDRPKT011514.wpd

City of California City
21000 Hacienda Blvd
California City CA 9350 (760) 373-8661

Receipt No: 1.055166 Oct 28, 2014

Patrick Buckley SDR14-16

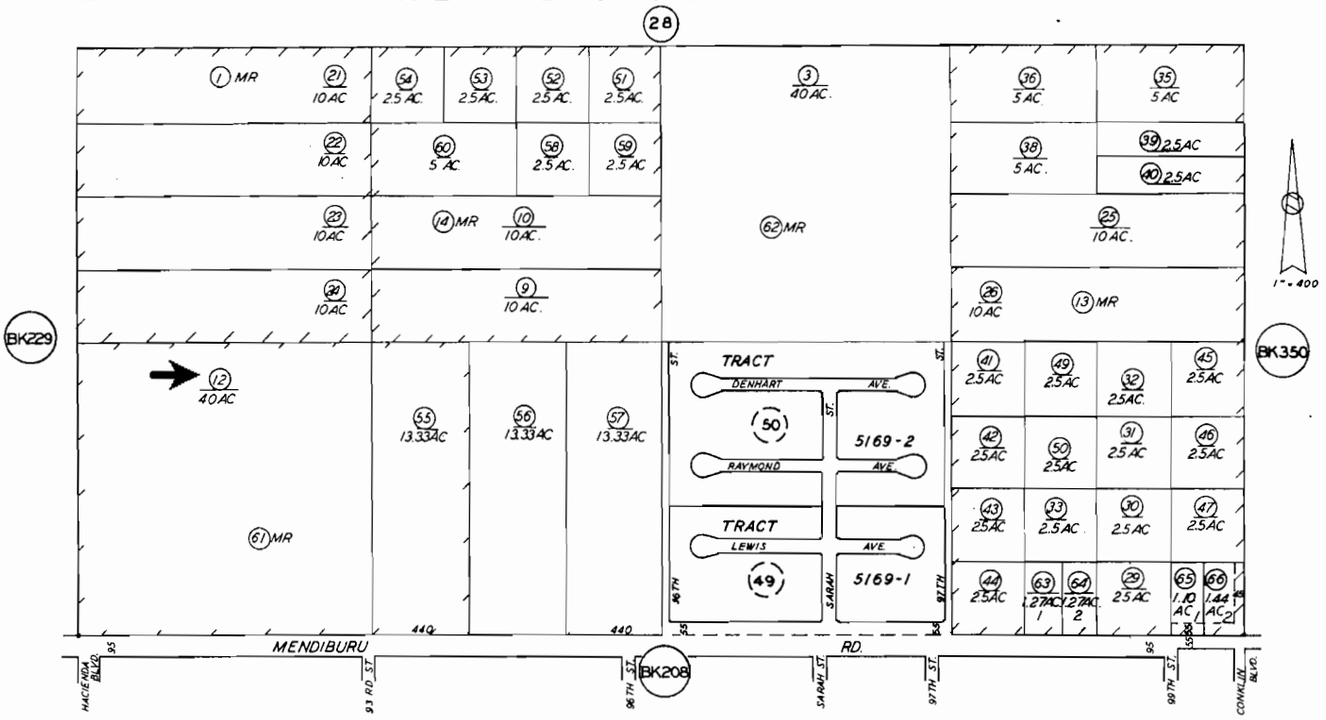
Permits/Fees	
Maps/Public	750.00
10-3415	
Total:	750.00
Credit Card	
Check No: mc	750.00
Payor:	
Patrick Buckley SDR14-16	
Total Applied:	750.00
Change Tendered:	.00

10/28/2014 11:35AM

S1/2 OF SEC. 13 T. 32S. R. 37E.

SCHOOL DIST ///-/

302-26



Revised: 2/06/08

Note: This map is for assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO. 302-26
COUNTY OF KERN

Procuring a Purchase Power Agreement (PPA) Response

A2 CONSULTING

A2 Consulting LLC

Memorandum

To: Joe Barragan – California City

CC: Patrick Buckley – Pioneer Green Energy

From: Andy Atiyeh – A2 Consulting

Date: 10/27/2014

Re: Bolthouse Solar Project CUP Application

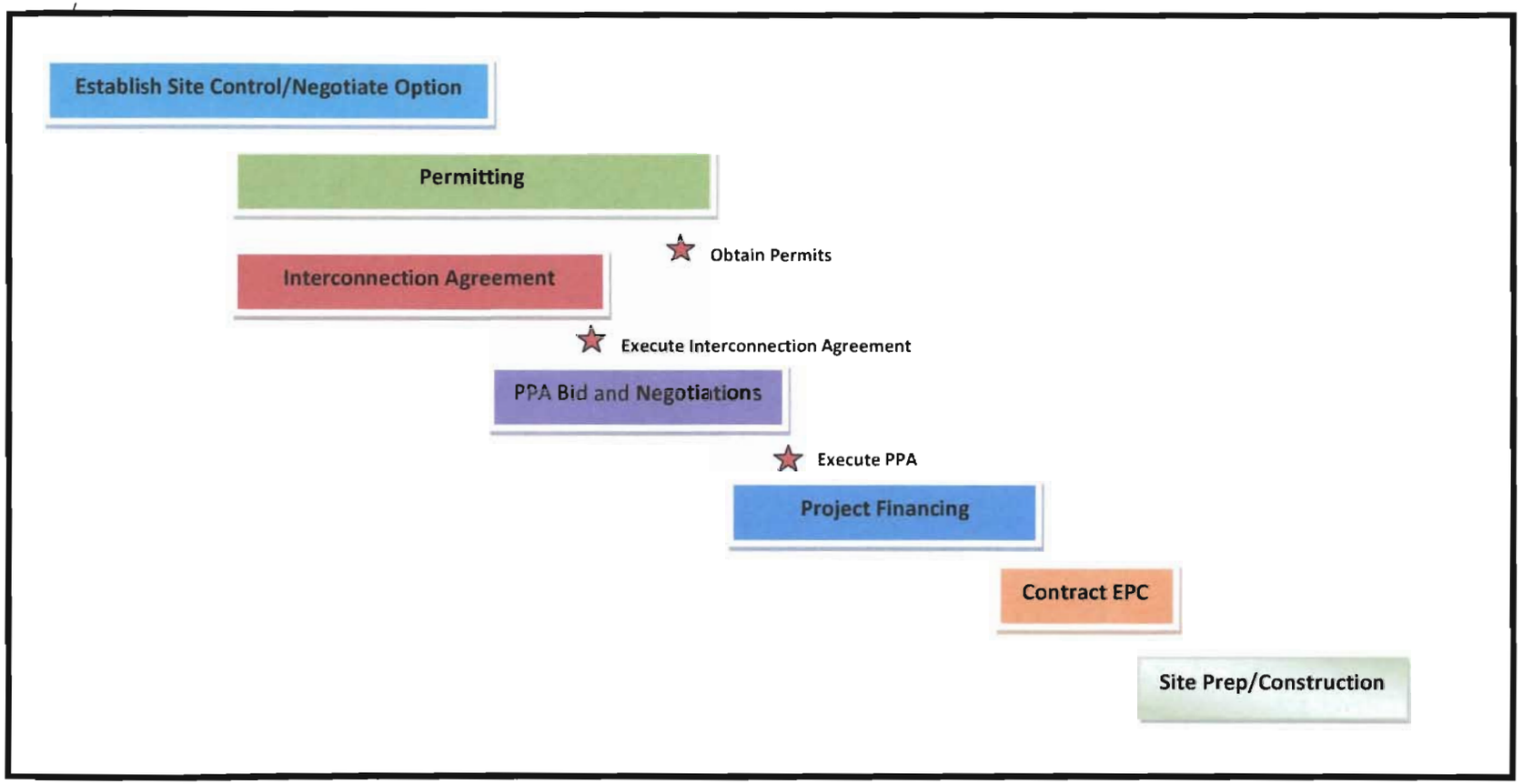
We recently submitted an application package for a Conditional Use Permit (CUP) from the City of California City (City) for the Bolthouse Solar Project (Project). During our telephone conversation last week you asked whether or not the Project had a Power Purchase Agreement (PPA). As I shared during our conversation, the Project has not yet secured a PPA, but I wanted to confirm that we intend to obtain a PPA for this project.

As I explained it is almost impossible for a project to be competitive and to obtain A PPA without demonstrating certain things that power off takers would like to see. For example, utilities usually would like to see that the project has made progress on efforts toward interconnection to the grid, land control, and especially obtaining a land use permit. Often such requirements are terms and conditions of PPA's. This is because utilities have in the past awarded PPA contracts to developers who did not demonstrate progress in those areas, and ultimately were not able to deliver on the contracts.

As I mentioned, our team has been involved in developing solar PV projects in Kern County over the last few years. Specifically, we have successfully permitted five solar projects in Western Kern County and obtained PPA's through Southern California Edison (SCE) on 40 megawatts (MWs) of solar electric generation on two of those projects. The development process for these types of projects is roughly as illustrated in the attached diagram. The CUP is an integral piece in satisfying potential off-takers, such as utilities, municipalities, industrial and commercial businesses, etc. To date, we have secured land rights through an option lease with the landowner (a copy of which was sent to the City) on 40 acres of disturbed and vacant land. On grid interconnection we have had preliminary discussions with SCE and with our transmission consultant about the interconnection process, and are soon to initiate the interconnection study process. The leased property is located adjacent to SCE's substation, which lends favorably towards a more competitive and economical project compared to other sites in the area. Based on these aspects, we feel positive about our prospects of procuring a PPA and subsequently bringing the project to success.

I hope this answers your questions. Again, we would like to reiterate that it is our full attention to pursue and obtain a PPA as we have done elsewhere recently in Kern County.

TYPICAL PROJECT DEVELOPMENT STAGES FOR UTILITY SOLAR PV PROJECTS



AConsulting

October, 2014